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D. Miller*

THE DANSVILLE POISONING CASE.



ISAAC L. WOOD.

(From an Ambrotype taken in his Cell on the day of Execution, by
Wm. MARRATT, of Dansville.)

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The Dansville Poisoning Case.

A History of the Tragedy and the Parties Concerned.

ISAAC L. WOOD, the individual who was executed at Geneseo, on the 9th day of July, 1858, was born at New Providence, New Jersey, on the 10th day of August, 1820, and was therefore nearly thirty-eight years of age at the time of his death. His father was a tiller of the soil, in comfortable circumstances, and Isaac always followed the calling of a farmer until his removal to Dansville, in 1854. He received an education fully equal to that of the generality of people in his sphere of life, and was always surrounded with the influence of the christian religion. His parents were for more than forty years, exemplary members of the Methodist Episcopal Church, and their children, (four sons and one daughter,) all made an early profession of piety.

About the year 1828, David J. Wood, the eldest brother, left New Jersey, and came to Burns, Allegany County, where in the course of a few years he accumulated some property. He then removed to the village of Dansville, where for about twelve years prior to his death, he was engaged in the shoe and leather business. In 1854 Isaac removed from New Jersey, and became an inmate of the family of his brother David. Here he engaged in the business of buying and shipping to New York, country produce, principally butter and eggs. The family of David J. then consisted of himself, wife, two children, Isaac and the hired girl.

In May, 1855, while Mrs. Wood and the children were absent on a visit to friends in New Jersey, David J. was taken suddenly with vomiting and purging, and after a violent illness of only three days, expired. His family were sent for, and arrived the day after his death. In about three weeks afterward Mrs. Wood and the children were all taken suddenly sick at the same time, and with the same attendant symptoms, the wife dying after a very brief illness. Suspicion was entertained by the physicians and others, at the time, that this strange fatality was produced by other than natural causes; but no circumstances transpired to induce the belief that there was any criminality connected with it. The physicians entertained the opinion that their deaths were caused by some poisonous substance they had taken accidentally, and the matter was dropped.

It was well known that David J. Wood was possessed of considerable property, both real and personal, and at the time of his death his estate was valued at from \$20,000 to \$30,000. It occasioned some surprise, therefore, when upon the final settlement it was found there was little or nothing left for his children. The appearance of a note purporting to have been given by David J. to Isaac L. Wood, for \$2650, which had been transferred to the New York firm to whom the latter had been sending produce, being pronounced a forgery, created a suspicion that there was something wrong. Some time in the summer of 1857, Joseph J. Welch, who then occupied the house where David J. Wood and wife died, discovered in the barn of the

premises, a package containing three parcels of white powder. It appears by a chemical analysis, that one of these contained pure arsenic, another a mixture of arsenic and magnesia, and the remaining package, cream tartar.

These circumstances, together with the suspicion that had been entertained by the physicians ever since the death of Mr. and Mrs. Wood, led to the holding of an inquest. Coroner Caton, of Avon, was sent for, and a jury summoned. The body of Mrs. Wood was disinterred, and the stomach sent to Prof. Hadley, a distinguished chemist, of Buffalo, for analysis. His experiments resulted in the discovery of arsenic therein, and a subsequent analysis of the stomach of Mr. Wood produced the same result. The package was produced before the jury, and among the papers in which it was enveloped, were found a printed copy of the administrator's notice of sale of the personal estate of David J. Wood, and a hand-bill announcing an auction sale in New York city. Various alterations and erasures in the cash and account books of D. J. Wood were shown, and these were proved to have been for some time after his death, in the possession of I. L. Wood. Medical and other testimony was also adduced, and the jury rendered a verdict that Rhoda Wood came to her death by poison, administered in their belief by Isaac L. Coroner Caton thereupon issued a warrant for his arrest, and deputized Ex-Sheriff James Brewer, of Dansville, to serve it.

For some time after the death of Mr. and Mrs. D. J. Wood, Isaac continued his business here, residing with his wife and child in the house where his brother died. He closed up here with a "failure," and removed to New Jersey, where his wife and child died after a brief and sudden illness. A post mortem examination of the stomach of his wife revealed the presence of arsenic. The next we hear of him is at Rantoul, Champaign Co., Illinois, a station on the Illinois Central Railroad, about 130 miles south of Chicago. Here he was engaged as a laborer upon a farm, and pretended to be in very reduced circumstances. At this place he was found by Mr. Brewer, arrested, and brought to this County, where he was imprisoned in the jail.

The case came on for trial at the February term of the Court of Oyer and Terminer, and resulted in a disagreement of the jury, eight being for conviction, and four for acquittal. A second trial was held commencing May 3d, and on the 15th the case was submitted to the jury, who rendered a verdict of GUILTY, after being out two hours and a half. On Monday morning, May 17th, the prisoner was brought into Court and sentenced to be hung on the 25th day of June, 1858. His counsel immediately applied for a writ of error, which was denied, and resort was had to the power vested in the Governor, who granted a stay of execution until the 9th day of July. Upon reviewing the testimony Gov. King found nothing that would warrant his interfering with the sentence of the law, and at the date last mentioned the existence of Isaac L. Wood terminated upon the gallows.

The prisoner was a man about five feet, five inches in height; complexion of a dark shade, and very spare countenance. His father died on the 23d day of December, 1842, and his mother on the 21st day of March, 1854. The surviving children are two brothers, Daniel Halsey and John, residing in New Jersey, and a sister, Mrs. Clark, residing at Lima, New York.

We have thus sketched a brief notice of the family concerned in the tragedy, as a preface to our report of the trials and execution, which will be found in the succeeding pages.



FIRST TRIAL OF ISAAC L. WOOD;

Upon an Indictment for the Murder of Rhoda Wood by Administering Arsenic.

—
LIVINGSTON CO. OYER AND TERMINER.

BEFORE HON. THOS. A. JOHNSON, CIRCUIT JUDGE.

Geo. Hastings, Co. Judge., David Gray and A. W. Beach Session Justices.

COUNSEL FOR THE PEOPLE—Hon Amos A. Hendee, Dist. Att'y, of Geneseo; Hon. J. A. VanDerlip, of Dansville; Hon. L. C. Peck, of Nunda.

COUNSEL FOR THE DEFENCE—Col. Jas. Wood, jr., of Genesco; G. Bulkley and S. Hubbard, Esqs., of Dansville.

The case was called on Monday, Feb. 1, 1858, at 3 P. M., and on application of Counsel for Defence, was postponed till Tuesday morning.

Court commenced at 9 A. M., on Tuesday, and the morning session was spent in drawing a jury.

TUESDAY AFTERNOON SESSION.

The empanelling of the jury was concluded at 3 P. M., the following being a list of the men chosen to investigate this important and intricate case:

Jacob Genung, Lima; Arch. H. McLean, Caledonia; Chauncy Metcalf, Geneseo; Moses Long, York; Mason Wattles, Geneseo; John Hamilton, Avon; John W. Dalrymple, Geneseo; Wm. Grant, Leicester; Geo. W. Glass, Geneseo; Jos. E. White, Groveland; Chas. Woodman, Mt. Morris; John Crossett, Geneseo.

The case was then opened on the part of the People by Hon. Amos A. Hendee, District Attorney, in a speech which was listened to with great interest by an audience as large as the Court room could possibly hold. We give as full a report of his speech as space will permit;—

“GENTLEMEN OF THE JURY:—In the administration of Justice it not unfrequently becomes the painful, yet important and imperative duty of those charged with the due execution of the laws of the land to indict, arraign and bring to trial, persons charged with the crime of murder; the greatest enormity of any known, or punished by human enactment. The mind of man if not deeply stained with guilt, whether savage or Christian, naturally revolts at the thought of cold blooded, calculating, deliberate murder. Yet the history of our race from the days of our first parents down to the present moment, reveals a black catalogue of crime of this kind, sickening in its extent and character, disclosing a moral depravity incident to our race tru-

ly humiliating, when we reflect how fallen must be the guilty who was created originally in the image of his Maker.

"From Mount Sinai first came the mandate—'Thou shall not kill.' All nations, particularly those who acknowledge the binding force of this command, have some recognized and established law, designed to duly bring to trial and punishment in some manner all persons who are found guilty of breaking this law.

"This State by legal enactment declares—'The killing of a human being without authority of law by poison, shooting, stabbing or any other means, or in any other manner, when perpetrated from a premeditated design to effect the death of the person killed, or any other human being, is murder.'

"The prisoner at the bar stands before you charged with this crime. He is charged in the indictment to which he has interposed the plea of not guilty, with the murder of Rhoda Wood, and with having produced her death by poison, on the 10th day of June, 1855—administered to her by his own hand.

This indictment has been duly found by the grand inquest of the county, and it has become my duty as the law officer of the county to bring the issue tendered by the prisoner before a traverse jury for trial. You have been selected by the accused as his triers to pass upon the question of his guilt, and when the evidence in the case shall be closed, when you shall have heard counsel in behalf of the prisoner and the people, and after the court shall have instructed you in reference to the law of the land applicable to the case. You are all without doubt duly impressed with the important duty imposed upon you, and while on the one hand you will not allow the rights of the accused, as we feel assured, to be affected by any prejudice, we doubt not that on the other hand you will allow the evidence that may be adduced before you to have its due and proper right and influence over your judgment and decision, notwithstanding the strong, generous and charitable emotions which swell the bosoms of all men who abhor crime and feel a natural reluctance in believing a tale of wrong against their fellow men.

"A case of this character is involved in difficulties most rare,—almost without a parallel in the annals of crime. Very seldom indeed and in no case in history have I found where the grave in two and one-half years after death has given up its dead to produce evidence against the party accused.

"In giving a history of this case it is necessary to blend another act in the tragedy with the offence charged in the indictment. The husband of her who preceded her to eternity, and by the same hand, D. J. Wood, was also the victim of the accused.

"I shall endeavor to give a history of these individuals, so far as is important for you to understand this case, and the relation which it bears. It seems D. J. Wood labored and toiled for years and accumulated property; he had been engaged in business at Dansville for some time with another brother, D. Halsey Wood. In June, 1854, the prisoner came to Dansville and was a member of D. J. Wood's family, and resided there at the

time of the death of D. J. Wood, (which was in May 1855.) D. J. Wood had been sick three or four days previous to his death. D. J. and I. L. Wood were the only members at home at the time of his sickness and death. The night of his death the servant girl, Margaret Lynch, stayed at the house of Halsey Wood. He was taken sick Sunday evening, and died the Wednesday following. At the time of his death, Mrs. Wood was in New Jersey on a visit; D. J. was buried the Sunday following. In June fourth or fifth Mrs. Wood was taken sick, and died on or about the tenth. On the fourth or fifth day of her illness she and the children all had similar symptoms.

"At the time of Mrs. Rhoda Wood's death suspicions were aroused. Subsequent to that period and during the last summer facts came to light from which the citizens of Dansville became determined to ascertain whether they were victims of disease or poison. In August the Coroner summoned a jury and Mrs. Wood was disinterred; the stomach was extracted and sent to bear an analytic examination.

"Subsequently D. J. Wood was disinterred and his stomach sent to bear the same examination. These examinations satisfied them that they been occasioned by poison. They were also satisfied that no one had a motive to do the deed except the prisoner, and also that he alone possessed the means of so doing.

"The Grand Jury found this a proper case for a traverse Jury, and you will see the reason why this case is now presented. It becomes necessary for the people to prove the *corpus delicti*. We shall prove that Rhoda Wood died; that her death was caused by poison. We shall prove this by her symptoms and also by the analysis of the chemists. We expect to abundantly satisfy you by the testimony of physicians that her symptoms indicated poison by arsenic, as charged in the indictment.—This will be coupled with the analysis of the chemist."

Mr. Hendee further remarked that the next question they would endeavor to answer is, by whose agency was her death brought about. It will be shown that it was administered by the defendant or taken voluntarily by themselves. We apprehend that after listening to the evidence, the jury would have no difficulty in deciding upon this point. Another question which may arise is, was it given by mistake. The giving of the poison will be coupled with a motive too strong to admit of a shadow of doubt—a desire to enjoy the possession of the property of his brother. Mr. H. spoke at some length upon the subject of motive, briefly presented the character of the chain of evidence to be adduced, and concluded his remarks as follows:—

"And now, gentlemen, although it may be painful for you to say that the defendant is guilty of the offence charged, I apprehend that if you are satisfied he is the man, you will have that regard for your oaths and the welfare of the community, that will induce you to pronounce a verdict that will prevent the sacrifice of another victim at his hand."

EVIDENCE FOR THE PEOPLE.

Edward W. Patchin—Reside in Dansville; am a physician and surgeon; have practiced twenty years; resided in the village of Dansville between fifteen and sixteen years; knew Rhoda Wood; she resided in Dansville; she is not living; died in June, 1855; night of 9th or morning of 10th; died at her residence in Dansville; attended her a portion of the time during her last illness; saw her upon the second day of her illness; saw her at her residence; she was a married lady; called in the forenoon; if any one went with me it was Dr. Reynale; will not be positive, but Blake was along; she was on a bed in the bedroom; can't tell who were present at particular times; saw Mrs. Wood, Mrs. Brookfield, (a relative of the family from the East,) Isaac Wood and Mrs. Noah Smith; there were others there, but can't say who they were; went at Dr. Endress' request, made a personal examination of the symptoms of Mrs. W.; found her presenting symptoms of extreme prostration, and faintness, with a weak, rapid and faltering pulse; surface cold, face presenting a livid appearance, with a purplish hue; a color difficult to describe; the membrane of the eye-lids injective and red; she was complaining of severe headache, and pain in the stomach of a burning character, accompanied by intense thirst, with great nausea and frequent vomiting: also with diarrhoea; some of the stools were mucous and slimy, a bloody slime; some considerable tenderness in the stomach and bowels; more in the stomach than elsewhere; together with general restlessness; these were the prominent symptoms as I noticed at the time.—The extremities were below the natural temperature of the body and a little cooler than the rest of the body; don't remember the condition of the veins; have a recollection of their appearance; they were darker and fuller than usual; prescribed for the patient with consultation; gave her opiates, anti-spasmodics and stimulants; gave her morphine, a preparation of opium, in the form of injection and otherwise; gave her camphor by the mouth; diffusible stimulus, compound tincture of spices, creosote in solution, quinine as a tonic; my impression is that we gave her chloroform in the form of medicine by the mouth; don't mean to say that we gave her all this at the first prescription; they are the principal articles used during her illness; medicines were left to be administered by the nurses; think I gave her some with my own hand; saw her a number of times that day; spent most of the day there; made it a point for some of us to be there continually till she died, and a part of the time all of us; noticed no material change in the character of the symptoms except a constant growing worse; she died on the night of the 9th or morning of the 10th; left there in the night, perhaps 12 o'clock; was not there when she died; she was very weak and very much prostrated when I left; vomiting had not ceased; might have been a temporary cessation, no particular remission of symptoms; the pain and thirst continued up to the time I left; noticed no eruptions or pimples about the face; have stated that the membrane of the eye-lid was red, injected with blood; noth-

ing further peculiar about the eye; expression of countenance that of suffering, distress and anxiety; do not remember that the tenderness of the stomach varied a great deal during her illness; lips were rather dry, and so was the tongue, one of the symptoms I forgot—the front portion of the tongue was red, and slightly furred in the back part; don't remember that she complained of a tightness in the stomach, or difficulty of swallowing; recollect of examining the surface of the body frequently and found it cool; noticed a cold, clammy sweat, but not a great deal of moisture; the diarrhoea was not as frequent at any time as the vomiting; cannot state whether it was more frequent at the close of her illness or not; it was after the first visit that I noticed the mucous and bloody character of the stools; think it was the third day.

The symptoms indicate that the disease was occasioned by some poisonous substance taken into the stomach, and so expressed myself at the time; arsenic, or arsenious acid, will produce symptoms of that character.

Q.—What is your opinion was the cause of her death? (Objected to by defence, and objection overruled.)

A.—It was due to the effect of arsenic taken into the system.

Mr. Wood, the prisoner, was very attentive, and appeared to manifest a great deal of interest in the case.

My recollection is that he gave her a considerable drink; I think I saw him give her medicine, but am not positive; he was in the room frequently where Mrs. Wood lay, and the one adjoining.

(Witness was here shown a diagram, which he recognized as a representation of the house in which Mrs. W. lived; was not very well acquainted with the house; but recognized the principal rooms and the bed-room where she lay.)

Isaac Wood made frequent inquiries in regard to her condition, the probability of her recovery, etc; these inquiries were very frequent; no not now recollect of any time when he was not present; the drinks were mostly water, a pitcher generally standing in the room; understand she was taken ill about the middle of the day previous to the day I was called.

Had known Isaac L. Wood some months; saw him frequently in the streets and about town; had no particular acquaintance; thought the interest he manifested in the case was unusual, and so stated at the time; when he gave her drink he was close by the bed-side, and sometimes raised her head; he gave her drink as often as any one; the bed-room was full a medium sized one; perhaps 8 by 10 or 11 feet; bed was on the East side of the room, stood East and North; door in the N. E. corner; when lifting her up his back would be West, North-west; think I saw him in the room when she was vomiting; ladies were present; female assistants.

At that time there were in the family Mrs. Wood, Isaac L. Wood, her two children, Frank and Georgie, a servant girl, and Miss Brookfield, a relative of the family from the East.

Was present when Mrs. W. was disinterred; it was in August, 1857, between the 10th and 14th; she was buried in the cemetery, $1\frac{1}{2}$ miles South of the village; was not at the burial; a body was taken up and I saw the name on the coffin-plate or head-stone; think I should have recognized it as the body of Mrs. W.; she was buried in a metallic coffin; a wooden box surrounded it; the lid of the box was taken off, and the metallic case lifted out; think the box was not taken out; noticed some appearance of decay in the box; the lid of the coffin was taken off, a substance used to neutralize the odor; body opened, stomach viscera taken out, put in a vase, and the body put back; the jar was taken to the village, alcohol put in and sealed up; it was placed in the hands of Coroner Caton, taken to Buffalo and placed in charge of Prof. Geo. Hadley; the body was not taken from the coffin; the external appearance of the body was dark; decomposition had commenced in some places, presenting a dark, greasy, tawny appearance; the features of the face were such that I could recognize her; the hair was in its natural position; there was very little fluid in the body, it being nearly dry after taking out the viscera; color was whitish: noticed slight variations in color; no peculiarity in the smell of the body, except it was not as offensive as I expected to find; the most peculiar state of the viscera was the good state of preservation; thin, clear and transparent in their texture; I do not know but the kidneys were taken out, the whole alimentary canal was taken out; there were some portions of the viscera that were darker than others; attributed the unusual state of preservation to the preservative powers of the arsenic; know of the morbid appearance occasioned by arsenic from reading and authors, have read Christianson on Poisons; Taylor on Poisons; these these are standard works; regarded good authority; am acquainted with Taylor & Beck's Medical jurisprudence; never read Chitty's medical jurisprudence.

The direct examination of the witness here closed, and the Court adjourned till 9 A. M., to-morrow.

WEDNESDAY—MORNING SESSION.

Court convened at nine A. M., and the examination of the People's first witness, Dr. Patchin, continued.

E. W. Patchin.—As far as my knowledge extends, no person in Dansville, out of the Wood family was affected with similar symptoms in that year; in my opinion these symptoms were caused by repeated doses of arsenic; the two children of Mr. W. were sick at the same time with similar symptoms. Mrs. Wood's husband was David J. Wood; he died on the 16th of May previous.

Cross-Ex.—The usual remedies as an antidote for arsenic, are the hydrated oxide of iron, magnesia, charcoal; I speak of these in a chemical light; it is doubted if they possess this power; there are others that are regarded in a mechanical point of view, enveloping the article, preventing solution of the mucilages; they are gum arabic, slippery elm bark, different oils, gum

tragida, and anything that will envelope it; opium is also said to be very efficacious in removing the effect; if vomiting has not already been excited, the use of the stomach pump may remove the cause.

I did not suppose at the time it was a case, arsenical poison; the use of anodynes, mucilages is good for cholera morbus; also stimulus, astringents, counter irritation, etc., constitutes the general treatment; preparations of opium are generally used; morphine more than anything else; laudanum is sometimes used; compound tincture of cinnamon, brandy as a stimulant; sometimes calomel as an absorbent; preparations of chalk; creosote; chloroform is sometimes given to allay irritability, restlessness, etc., alkali is frequently used in such cases; sub carbamate of soda.

When I was there, there were always plenty of female attendants at hand; never treated a case of arsenical poison unless this was one; the children recovered; they were sick some time; the dangerous stage of their illness had passed prior to Mrs. Wood's death; if I were called to-day to treat a case of arsenical poison, think I should treat it precisely as we did that; went to Buffalo with the Coroner.

Re-Direct.—In speaking of antidotes I give those used by different practitioners without indicating my preference; I have but little confidence in any antidote for neutralizing poison; should try to remove it by vomiting or otherwise; these remedies and antidotes should be applied before the poison is absorbed in the system; don't think the remedies administered could have been effectual unless portions of the poison remained unabsorbed in the stomach. In regard to the treatment I mean to state that mustard over the stomach would be beneficial and give warmth to the extremities; the symptoms of arsenical poison are not always the same.

Cross-Ex-Resumed.—I treated a case where the symptoms indicate a poisonous substance in the stomach; did not think arsenic was administered after I was called; do not think it was.

Samuel L. Endress.—Reside in Dansville; am a practicing physician; practiced there 30 years next Aug.; knew David J. Wood and his wife Rhoda Wood; they resided in Dansville: was present during the illness of Mrs. Wood, nearly all the time; she was taken sick June 5, 1855: she was taken sick in the morning. I understood about ten o'clock, saw her between five and six in the afternoon: my residence is about a quarter of a mile from where Mrs. W. resided. had attended her prior to this time: was her family physician just previous to this date: attended her once before: some months before D. J. Wood died: went there alone on this day: found her on the bed in the bedroom, vomiting severely: and complaining bitterly of her stomach: very much prostrated: this is about all I noticed at that time: she was restless at the time complaining of a burning sensation in the stomach: thirst was very urgent: apparently very much exhausted: was able to arise from the bed: no perspiration

manifest at that time: the surface was dry, with more or less heat: complaining of pain in the stomach: don't remember of examining her tongue at that time: her pulse was small and frequent: weak, quick and regular: found the two children sick, with the same symptoms as the mother: they were vomiting, and complained of the same pain in the stomach: prescribed for the mother and children: her symptoms increased in intensity from that time till her death: the pulse became more rapid; the countenance assumed a more anxious expression: the thirst more urgent: wanted ice in her mouth most of the time: complained more of the burning sensation in the stomach and throat: complained very much of headache: extremities quite cold; cold, clammy perspiration: tongue became red at the end, and furred at the back part: went there again that night with Dr. Blake: he went at my request: took him as there was something peculiar about the disease: thought it was the result of something she had taken: a circumstance had occurred in the family to create suspicion: it was the death of Mr. D. J. Wood: the manner in which he died, similar appearance, sudden illness, etc., created suspicions; Blake and myself came to the conclusion that it was caused by something she had taken: he went there with me a number of times: Patchin went the next day at my request: think I was there when she died: don't remember whether she was sensible or not: think she was able to get up with assistance the 1st and 2d day: not after that: the effusions toward the last were slimy and streaked with blood: these symptoms are produced by irritation of the mucous membrane: I. L. Wood was there when I gave the prescription: think he came for me, think I handed him the prescription, or laid it on the table and bureau: told him to be careful and not get them mixed, as the powders for Mrs. Wood would be too strong for the children: can't say whether the prisoner took the medicine or not: I generally do up my powders in writing paper. (Witness exhibited here the size and shape of his powders usually.) Never left any medicines for others to mix: the powders were to be taken in sweetened water: in a teaspoon: think the conversation I had with Wood was upon my first visit.

I told him that I thought the disease was not owing to atmospheric influence, but to something they had taken: he replied that Mrs. Wood had eaten considerable veal, the children some, and he had eaten some himself: it was in the morning at breakfast: he had eaten less than others, but vomited some while on the road to Wayland: don't remember of anything further being said: he said nothing of being sick at the time: did not complain or look sick: think this was when I was first called: the next day I requested Dr. Patchin to interrogate her about it: I had suspicions of wrong, but did not know where to place it: I wanted to find out whether the patient had not taken some poison: I had a suspicion they had been poisoned at the time: judging now from her symptoms, and on examination of medical authority, I am of the opinion she was poisoned with white arsenic: Mrs. W. lay on the bed in the bed-room: the children in

the dining-room upon a lounge: the hired girl was with the children: don't remember of seeing prisoner administer medicine or drink to Mrs. Wood: left Mrs. Wood's prescription on the bureau in the bed-room, I think: the children's in the dining-room: prisoner was always in the house, in the bed-room, dining-room and about the kitchen, walking up and down, rather uneasy: he broke up the ice and brought it in: have seen him in the kitchin: ice was kept in the wood house: his manner was quiet: generally cool: there were ladies enough in assistance to render all necessary attendance: don't remember of the prisoner asking me about the probability of her recovery: saw him frequently talking with Dr. Patchin: no other persons were near: they were near the bed-room door: think they were within ten or twelve feet from me.

Took no particular notice of Wood's manner: his conduct excited some attention, and was a subject of remark between me and Dr. Patchin: I made a prescription of beef tea: think it was the second day in the latter part of the same: they sent the hired girl to Halsey Wood's to get a lean piece of beet: it was cut up and put into a bottle, seasoning put into it, put it in a vessel of water on the stove, and cooked: the bottle was left open: I helped prepare it the first time: was not in the room when it was first given: I directed one of the ladies to give it to her occasionally: did not give it to the children: it was taken into the bed-room in a cup or some such vessel: did not order it to be diluted; saw this bottle in the kitchen afterwards, on the stove in the kettle of water: I was in the kitchen when I saw it: saw the body of Mrs. W. when it was disinterred: saw the grave: it was dry: she was buried in a metallic coffin: I was not there when the body was first taken out: I saw it afterwards: it was in a good state of preservation: spoke of it: heard Dr. Patchin's testimony on this subject: Dr. Hovey performed the dissection: coffee, chloride of lime, and other preparations, were used to prevent the odor: the smell was rather offensive.

Cross ex.—I think I. L. W. came after me between 5 and 6 in the evening: think I went immediately: found there Miss Brookfield, the hired girl, and the family: the second time I found Mrs. Smith there: have seen Mrs. Wilson, Mrs. Wetmore, Mrs. Noyes, and Mrs. Hequembourg there: the boy and girl were sick: they recovered some days after Mrs. W.'s death: they were about the house a few days after her death: the symptoms of cholera morbus resemble those produced by arsenaceous poison: cholera morbus is generally owing to an increased temperature of the atmosphere, sudden changes of the weather, etc.: irritating substances taken into the stomach may produce it: I suspected Mrs. W. might have taken some irritating substance by accident or otherwise: cholera morbus may be produced by substances not ranked among poisons: did not suspect she had taken arsenic on my first visit. I thought afterwards that she had taken arsenical poison: I can't repeat what we gave her from day to day: think we gave her chloroform: used mustard plasters: warm applications to the feet: gave her quinine, crea-

sote, etc.: made the second visit in the evening: another in the morning with Dr. Patchin: left some medicine every day we were there: think we used warm applications and mustard plasters the first day: these remedies are generally employed in cases of cholera morbus: don't remember any other disease the symptoms of which resemble those produced by poison: morphine powders are always done up in white paper, and are nearly the same size: think I left the children's medicine on the table in the dining-room, and Mrs. Wood's on the bureau in the bed-room, am not positive whether Wood said he vomited in going to or coming from Wayland: beef tea was given as nourishment: never had or saw a case of arsenical poison before these.

Don't think a physician can form a reliable opinion from the symptoms alone in a case of arsenical poison, without a chemical analysis-

Re-Direct—I think arsenic was given in repeated doses to Mrs. Wood: I should think from the symptoms that she had taken arsenic after my first visit: had known no other person in Dansville outside of the Wood family, affected with a similar disease that year: never slime and blood of this description in a case of cholera morbus: don't know that I ever saw that burning sensation in the throat in cholera morbus: arsenic is an irritating poison: magnesia mixed with it prevents immediate action.

Cross ex. resumed.—Don't know that I supposed the arsenic was given in repeated doses, at that time: I then supposed it had been administered prior to my first call: spoke about poison: looked about the house to see if I could discover any: did not then suspect poison was administered to her criminally: supposed it was accidental: she died from the secondary symptoms of poison: more from the effect of it upon the alimentary canal than upon the head and brain: if she had taken sufficient to produce death at the first dose, the symptoms would have been apparent in an hour or two: death would ensue within 24 or 48 hours: there are instances on record where a person has taken $\frac{1}{2}$ an oz. and thrown it off, doing no harm: and again such doses have killed in a very short time: purging does not always follow the taking of arsenic in heavy doses.

At half after 12 o'clock the Court took a recess of one hour.

WEDNESDAY—AFTERNOON SESSION.

The cross-examination of Dr. Endress was resumed. I do not remember what was the cause of Mrs. Wood's illness when I called there some time previous to her last sickness: I made prescriptions for her then, but do not remember what they were: the blood was first discovered in her stools toward the last of her sickness: the third or fourth day: have seen blood in cases of dysentery, but not cholera morbus: a person may die of cholera morbus in 24 hours, and may live some days: never saw a case where cholera morbus ran with dysentery: Mrs. Wood died from secondary symptoms, the effect of giving repeated doses

is to keep up irritation and cause inflammation: there might be the same symptoms produced by a single dose: I suppose there were repeated doses given: do not think of any other diseases the symptoms of which are similar to arsenical poisoning: Mrs W. was taken Tuesday, and she died Sunday following: staid there a great part of the time: cholera morbus is sometimes caused by eating meats, and other substances taken into the stomach: it was sometime after death that I stated I believed arsenic had been administered to Mrs. Wood: this was before the chemical analysis was made: was not at the burial: did not see enough of the body to recognize it as Mrs. Wood's: the cemetery is about a mile and a half south of Dansville, a gravelly, sandy soil: have never had occasion to exhume bodies from the cemetery: this grave was on a mound: don't know from my own knowledge that it was the body of Mrs. Wood.

Direct resumed. Did not ask Mrs. Wood what she had taken or eaten, because she was extremely sick.

Zara H. Blake, sworn—Reside in Dansville: have practiced medicine in Dansville 10 years: knew D. J. and Rhoda Wood: knew the counsel: was present during the last illness of Mrs. Wood: went there first on the evening of the 5th of June, 1855: if my recollection serves me right: understood it to be the first day of her illness: went there with Dr. Endress: the symptoms were vomiting and efforts at vomiting—extreme prostrations, burning sensation in her stomach and throat, extreme restlessness, &c.: (this witness corroborated the testimony of the other physicians as to the symptoms:) advised in connection with the attending physicians as to prescriptions to be given: found her in the bed-room: the children were afflicted similar to the mother, but less in degree; advised in reference to a prescription for them: Dr. Endress dealt out the prescriptions: was present at the time, in the dining-room: Isaac L. Wood was there the first time I called: he was in and about the rooms: I mean the dining room and the rooms where the sick ones were: if my memory serves me right the prisoner went into the kitchen to get drinks for Mrs. Wood and the children: the prisoner was waiting upon the sick: don't recollect any special remarks that he made at that visit: she required her head to be raised to take her drink, the first time I visited her: was there about an hour: next went there the evening of the 6th of June: observed an increase in the symptom in severity and force—Dr. Endress was with me at the time: think Patchin was present the evening of the 6th: advised prescriptions for that evening: think the children very slowly improved.

Either the night of the 6th or the 7th stayed a portion of the night with the deceased: think the prisoner was present at all the visits I made: the night of the 7th the deceased appeared still more prostrated, the symptoms aggravated, and some traces of blood in the evacuations: I visited her frequently in the day time after the evening of the 6th: traces of blood were discovered on the evening of the 7th—the children very slowly improved from the 6th: did not at any time speak to Mrs. Wood of

the cause of her sickness, by reason of her extreme prostration: have no knowledge of any beef tea being given to her, but know that it was prepared: the manner of the prisoner was very attentive and anxious, with a degree of uneasiness and watchful care unusual in no nearer relative than a brother-in-law: noticed that he watched other persons in the house, the children, but not any one else to my knowledge: he was chiefly confined to her wants: my impressions are that the prisoner conversed with Dr. Patchin in my presence relative to the prospects of her recovery: gastro enteritis is an inflammation of the stomach and bowels, and a bloody evacuation is one of the symptoms. It is produced by atmospherical influences, indigestible matter received into the stomach, and some or most of the mineral poisons: repeated doses of arsenic might produce gastro enteritis: my opinion is that poison produced the death of Mrs. Wood—poisoning by arsenic, as the primary cause of the death—gastro enteritis cause of her death: together with the effects of the arsenic upon her nervous system.

Think arsenic was taken by her in repeated doses during her illness: observed the substance vomited up by her drinks: the puffy or livid appearance of the face continued during her life time: she was thick set of a nervous temperament, her countenance wore an anxious expression, showing a general giving up of nature: was present when she was disinterred: don't think I sh'd have recognized the body apart from the plate upon the coffin and the tomb stone at the head of the grave: (the witness then proceeded to corroborate the testimony as to the appearance of the corpse, viscera, etc.) The stomach was in good preservation: there was a hole in it, not caused by decay, but by the doctor's knife in opening the abdomen: Dr. Hovey performed the operation: it would require a great deal of care to open the abdomen, and it would be very probable that the operator would puncture the viscera in the operation.

Cross-Examined—In my opinion the disease of which Mrs. Wood died was produced by poison: this opinion was formed at her death, and at that time expressed it: communicated this opinion to Dr. Endress, and I think Dr. Patchin; during her illness entertained a suspicion that she was poisoned, but could not then clearly make up my mind what form of poison was used; did not suspect that poison had been criminally administered unto her; (the witness then proceeded to give the names of the remedies administered to Mrs. Wood, and the symptoms at different stages of the disease.)

Did not make any investigation or examination as to whether she had been poisoned or by whom it was done; I suspected she was poisoned; did not form a clear opinion as to what kind of poison had been used, but had suspicion that it was arsenic; inquired of the accompanying physicians of their opinion as to her being poisoned, and mentioned a number, among the rest arsenic, lead, and the vegetable poisons, but we excluded the idea of the veal having caused such extreme prostration; our suspicions were that she had been poisoned by arsenic; we made it

a matter of conversation in our consultations; did not suspect during the sickness that arsenic was administered to her during her illness; do not think the primary and secondary symptoms existed at the same time in this case.

Examination direct resumed.—If arsenic was administered in small doses it would tend to aggravate the secondary symptoms.

Peter T. Caton, sworn—I reside in Avon; am one of the Coroners of this County; was present at the disinterment last summer of the body represented to be that of Rhoda Wood; Drs. Hovey, Endress, Patchin, Reynale, (and I think Dr. Blake,) were present; am a practicing physician, and have been in practice about 20 years; superintended the disinterring of the body as Coroner; the body was opened and the stomach and viscera taken out by Dr. Hovey; took viscera and stomach and took it to Niles' Drug Store in the village of Dansville; put on some alcohol and sealed them up; the jar was a stone one; I took it to Buffalo, and delivered it to Prof. George Hadley, at the Medical College in Buffalo; did not take a package out at that time; I took the jar to Buffalo to have an analysis of the contents made by the Professor; at another time I took the stomach and viscera of David J. Wood for analysis, and also a package, supposed to contain arsenic, which was delivered to me by Dr. Niles; took them to Buffalo and delivered them to Prof. Geo. Hadley; the package contained three parcels done up separately; Prof. Hadley took of each of these parcels a portion of the contents, then returned them to me, the same papers were around the packages as were delivered to me; (here the witness produced the package,) took it from the Professor, and kept it in my possession until the Grand Jury sat, in October; produced the package before the Grand Jury, and it was then taken in possession by the District Attorney.

Saw the bo'y said to be that of David J. Wood; it was opened by Dr. Blake; the stomach and viscera taken out, put in a jar, covered with alcohol and sealed up the same as the others, examined the jars before they were used, and washed them out, and then drained it as dry as I could; used the water out of Dr. Niles' well; Dr. Niles furnished the alcohol.

Cross-Examination—The reason why I exhumed the body was that there was a letter written to me by nine gentlemen of Dansville; my impression is that the letter was written by Dr. Hovey of Dansville; Dr. Patchin went with me to Buffalo, when I took the stomach of Mrs. Wood; nobody went with me a second time; when the viscera of Mrs. Wood was taken from the body, it was wrapped up in brown paper, large size wrapping paper; rolled it up myself; in that paper I carried it down to Dr. Niles'; had intended to have put it in a glass jar, but it cracked and I then got an earthen jar; laid it down on the end of a box, back of the store, in the yard, and requested Dr. Hovey to watch it; there were a number of persons present; the jars were sealed.—(The witness then gave a description of the manner in which the jar was sealed.)

The jury was summoned before the body was exhumed; there was testimony taken before me, before the stomach was taken to Buffalo, there were some physicians sworn, and among the rest Drs. Reynale and Ilvey were examined before the stomach was sent to Buffalo; adjourned the inquest for the purpose of getting the analysis; the testimony was taken down prior to going to Buffalo; don't know where the testimony is now; I put it on file in the Clerk's office; think it is there with the rest of the testimony; the testimony taken was reduced to writing under my directions.

Direct resumed.—Took the package to Buffalo, where I took D. J. Wood's stomach; I got the package of Dr. Niles.

Cross-examination resumed.—The witness corrected his former statement, saying that he believed now that he had not taken any medical testimony before he went to Buffalo; he was advised to wait until a chemical analysis had been made; issued a warrant for the arrest of Isaac L. Wood, and deputised James Brewer of Dansville, to serve it; Mr. Brewer brought Wood before me on the warrant when he returned; could not say whether I had denied counsel for defence the privilege of seeing the minutes of testimony on the inquest.

Direct resumed.—The glass jar was cleansed by the same process as the earthen ones.

Shepard Jones sworn.—Have resided in Dansville 22 years; knew D. J. and Rhoda Wood; am a cabinet maker by profession; I know that David J. and Rhoda Wood are dead; they were buried in the new cemetery at Dansville, which has been used as such 7 or 8 years; acted in capacity of undertaker in their cases, and as such furnished Fisk's metallic coffins; think I helped bury the first; furnished a box in each case, and hearse; was present at the exhumation of Mrs. Wood; I have a means of telling that the body was that of Rhoda Wood, by the box, the coffin, the plate, the shroud; saw Mrs. Wood when she was placed in the coffin; helped put her in myself; have no doubt whatever that the body disinterred was that of Mrs. Wood; thought I recognized the shape of the face, but aside from these surrounding circumstances don't know as I should have done so.

Cross Examination.—The eyes were sunken; the hair natural on the head; the mouth had not retained its natural position, the nose was partially decayed; the coffin was not cemented, because it was not thought necessary.

William H. Reynale, sworn.—Have practiced in Dansville about 30 years; knew D. J. and Rhoda Wood; they resided in Dansville some 12 years ago previous to their death; I can't answer positively; was present when Mrs. Wood was disinterred; saw the body when the lid was taken from the coffin; should not have recognized her without the surrounding circumstances, but after looking at her a while I recollected her; she had peculiar features; I was very well satisfied when the lid was removed that it was Mrs. Wood; the general outlines of her face satisfied me; noticed the stomach and viscera; (the witness corroborated the general appearance of the body and interior of

the abdomen as sworn to by the preceding physicians,) as a general thing the bowels and stomach decay first, particularly in diseases of those organs; the stomach and viscera were in a very good state preservation; it is said that arsenic will preserve those organs, and is so laid down by Beck, Taylor, and other leading authorities; the peculiarity of soils are more preserving than others; have not known a grown person to die from cholera morbus in Dansville; I should think that in cases of cholera morbus after death it would tend much to promote decomposition.

Cross-ex.—Should think the human body would be preserved better in the ground than exposed to the air; it was a doctrine at one time that persons dying from arsenic would decompose sooner than when a natural death ensues, that idea is now exploded; do not recollect of any tests being made of preservation of bodies by arsenic.

Direct resumed.—Intestines generally decompose very rapidly; the viscera and bowels were in a better state of preservation than some that have been buried three or four days.

Mrs. Mary Bunnell, sworn.—Have resided in Dansville over 7 years; knew Mrs. Rhoda Wood; was at her house once during her last illness; lived across the street from her house; was there the first day she was taken sick; between 5 and 6 o'clock; saw Dr. Endress there; he left some medicine on the table in the dining-room; think I saw Isaac L. Wood take the medicine when the Doctor was there; the Doctor was sitting by the table; do not know what the prisoner did with it; saw him take the powders for the children and take them through the door that led into their room; the Doctor told him to be careful and not mix them: could not say he took all the medicine, but should think from a remark the Doctor made it was for the children: prisoner replied that he "would take care of the medicine and see that it was given correctly;" was there about half an hour that evening; did not converse with Mrs. Wood; was not there again until after she died.

Cross-Examination.—Was not very much acquainted with Mrs. Wood; had never been to her house before.

After the conclusion of the testimony of this witness the Court adjourned until 9 o'clock A. M. to morrow.

THURSDAY—MORNING SESSION.

Court convened at 9 o'clock, A. M., and the examination of witnesses on the part of the prosecution continued.

George Hadley—Resides in Buffalo: has resided there more than 10 years; am a chemist; have a position in the Medical Department of the University of Buffalo; have been engaged in my present business nearly 20 years: I can discover the presence of arsenic in the stomach and viscera of a dead body during life; know P. T. Caton: he brought me a jar containing a stomach and viscera in two instances: I think the first was August 27: the second, Sep. 2: he brought also a package containing 3 parcels at the time he brought the last stomach; the jars were seal-

ed and tied over: the sealing did not appear to have been broken: I analyzed the contents of the first jar: I discovered arsenic therein: the means employed were certain; the jar contained the stomach, viscera and intestines of a human being: Dr. Catton informed me it was the stomach of Mrs. Wood; I found arsenic in it; (the package containing the three parcels alluded to was here produced and opened) these parcels resemble the ones I refer to; they are the same; I analyzed each parcel; took out a part of each; one parcel labelled "arsenic," is pure white arsenic; the one labeled in writing "arsenic poison," is cream tartar; the parcel in brown papers, not labeled at all, is a mixture of magnesia and white arsenic; about one fifth magnesia, by weight, but this makes the greater part of the bulk; arsenic was not used in my analysis; the arsenic I discerned was in the contents of the jar. (Witness here exhibited the arsenic taken from the stomach; it was contained in small glass tubes, and was exhibited to the jury through the microscope.) This lens magnifies about 100 diameters; arsenic is not a constituent part of the human body; neither in life or death; what is seen thro' the glass is arsenic.

Cross-Examination—The experiments by which I detected this arsenic were performed in my laboratory in Buffalo; arsenic is a mineral substance; obtained by the working of certain ores, mostly in Germany; arsenic is a rare substance among the ores and minerals of this country; is not found in any of our waters; have experimented on the water from Buffalo and Geneva; arsenic was formerly supposed to be contained in the human body; this theory has been abandoned; have discovered arsenic in the human body before this was brought me; I first made a preliminary examination to see what there was there. (The witness here gave a minute description of the process of analyzing the contents of the stomach.) The tests I have used leave the matter beyond the shadow of doubt; can't tell whether the arsenic was put into the stomach before or after death; the jar contained alcohol; arsenic will form a solution with alcohol; by experiment and calculation I think there was about four grains of arsenic in the contents of the jar; this estimate may be too large; four grains will produce death, and if given in solution I think a much less quantity; arsenic taken into the stomach becomes absorbed in the body; it can be detected elsewhere than in the stomach; dead bodies can be preserved by putting arsenic in the vessels in which they are contained; my father gave me some assistance in these experiments; washed some of the dishes, etc; never had portions of earth in which bodies were buried presented for experiment; think that death by taking arsenic is more apt to ensue after 24 hours after taking the dose; have analyzed a stomach that had lain in the grave as long as this had; four stomachs were recently brought me at one time from Genesee Co.; one of them had lain in the grave 2½ years; I found arsenic in them all; these are the only cases in which I recollect of examining bodies that had been buried as long as this; think I have; remember one case, but do not recollect what I looked

for in it. (Prof. Hadley here placed a few grains of sand under the magnifying glass to show its power, by request of counsel for defence.)

Re-direct.—Have made a great many examinations for the same purpose as this; have sometimes testified in relation to them; in case where death ensues soon after taking arsenic, without much vomiting, it is generally found in a metallic state in the stomach, where there is vomiting and purging, what is not absorbed is usually thrown off.

Cross Examination resumed.—Can't say anything about the quantity that had been administered in these cases; can't tell how much had been absorbed.

Mrs. Pamelia Smith--Reside in Dansville: have resided there 11 years; knew David J. Wood and Rhoda Wood; lived about $\frac{1}{2}$ mile from where they died; did live within one door; was present during Mrs. Wood's last illness; saw her on the first day of her illness between two and three P. M.; it was on Tuesday, June 5, 1855; found at the house Mrs. W., her children, Miss Brookfield and the hired girl; she had two children; a boy and a girl; their names were Georgiana and Frankie; the former was 10 years old last August; Frankie is 8 this month I think; found Mrs. W. very sick, vomiting and suffering great pain; she was in her bed room on her bed where Mr. Wood died; the children were on the lounge or on Mrs. Wood's bed; the lounge was in the dining-room: the children were in very much the same condition as the mother; I left before 5 o'clock: Miss Brookfield went to Niles' and got some tincture of cinnamon and gave her that with some pepper sauce; I prepared it; she was vomiting nearly the whole time, except when she was giving the children some of the preparation: was there again between six and seven; found Mrs. W., her two children, Miss Brookfield and Isaac L. Wood: I remained till after 6 in the morning: Dr. Endress was there: came soon after I did: it was not his first visit: during the night I was waiting upon Mrs. W. and the children: they were vomiting most of the time: Dr. left medicine: Miss B. administered it that night: I think it was left in her care: when she was with the children I might have administered it to Mrs. W.: I did not give anything to Mrs. W. but what the Dr. left until morning; between five and six o'clock I prepared some black tea in a clean tin cup; the girl put the tea in it; her name is Margaret Lynch; I poured the water on it and stood by till it was steeped; I poured the tea into a white teacup; I carried it into Mrs. W's room, and some one said she was worse; I set it on the table in the kitchen; left it there and went to Mrs. W's room; went back, poured the tea into the tin cup to warm it, and afterwards returned it to the white cup; took it to Mrs. W's room and gave it to her; she tasted of it, but did not drink it; it was thrown out; I did not taste it; I. L. W. was there that morning: think he was in the kitchen when I prepared the tea: do not recollect where he was when I left tea in the kitchen: saw him both in the kitchen and dining room at that time: think

Miss Brookfield was in Mrs. W's room when I went in. I returned to the house again on Wednesday: found Mrs. Wood about the same: left about 11 o'clock: the children were not as bad as the night before: returned again soon after dinner, or about 2 o'clock: remained till after or near 4 o'clock; don't recollect of any person's being there that day except those I have mentioned: during the afternoon I went into the bed room: I. L. Wood was there: went in to give an injection, and do what might be necessary for the patient: the physician had left medicines with directions how and when to give it; I asked Mrs W. if I should give her the medicine, I. L. Wood was there I think when I asked her this question; I asked her soon after going in; the prisoner was walking in the bed-room when I went in; can't say positively whether I. L. Wood was present when I asked; did not administer any medicine at that time; the medicine was kept on a bureau in the south and west corner of the bed room; it was a liquid in two teacups; she was worse that afternoon, wrenching, wildness of the eyes, and at one time very near spasms; she once set up in the bed and shrieked; this was about 4 o'clock; was there from that time till her death the greater part of the time; was there four nights out of the five; I think purging took place on Wednesday afternoon after I gave injections.

I. L. Wood was about the house, he was away I think Wednesday forenoon, Mrs. W. took no nourishment till the beef tea was prepared, don't remember whether it was Wednesday or Thursday afternoon, think it was Thursday, it was given to her, can't say how often, Dr. Endress prepared it or assisted in doing so, it was done in the kitchen, think it was kept in a bottle in the pantry off the kitchen, Mrs. Wood described the pain she felt as sharp and severe, complained of heat and thirst, these symptoms increased continually; did not complain so much of the severe pain after Wednesday, she afterwards complained of burning sensation in her head and face as well as throat; I. L. Wood complained of being sick the first night; a pain in the head and stomach; this was Tuesday evening; he asked me whether it was best to take any medicine, and I urged him to do so; he appeared agitated; asked me two or three times if I thought Mrs. W. would recover; the first time was in the early part of the evening, he was in the dining-room on the lounge a part of the time. I told him I could not tell whether she would recover; after a while he asked again; don't remember anything more that evening, except that he was there; part of the time on the lounge, and walking in the kitchen and dining room; think that some time in the night he went up into the front chamber and went to bed; frequently afterward he asked me what I thought about her getting well; he complained of being sick; don't know that he manifested any symptoms of sickness; think he put his hand on his stomach when he first complained; he complained the next day a considerable, don't remember about it after that, did not know of his taking medicine, had met I. L. Wood a number of times previous at his brother's, noticed no unusual appearance in regard to his health at any time.

Cross Ex.—Became acquainted with Mrs. Wood in 1844; had known Mr. W. over 20 years; they never boarded with me; knew D. J. Wood at Burns; he removed to Dansville within 2 years afterwards; was always on terms of intimacy with the family; Halsey Wood's hired girl came for me to go to Mrs. Wood's when she was first taken; I had seen Miss Brookfield occasionally there; she had been there 8 months; don't know how long Margaret Lynch had lived there; it had been several weeks and perhaps some months; I. L. Wood was in the bed-room when I went in to give Mrs. W. an injection; think Miss Brookfield was taking care of the children at that time; don't know where Margaret Lynch was then; she was probably in the kitchen; found I. L. Wood in the bed-room walking when I first went in on Wednesday afternoon; Dr. Blake and Dr. Patchin visited there; took no particular notice of the state of I. L. Wood's health; I supposed at the time that he was sick; for four years preceding her death Mrs. Wood had been occasionally unwell, particularly the first two of these four years; she was subject to sinking spells when she had overdone; these were accompanied with pain in the head, vomiting and fulness of the face occasionally.

Re-Direct.—Supposed I. L. Wood was sick because he said so.

Mrs. Cordelia T. Wilson—Reside in the village of Dansville; lived there 29 years; knew D. J. Wood and wife; lived four doors from the house where they died; on the same street; was there part of the time during Mrs. Wood's last illness; was there I think on the second day of her illness; it might have been the third; did not stay long; saw Drs. Blake, Endress, Miss Brookfield and Mrs. Hequemborough, and Mrs. Jervis; think I saw I. L. Wood at that time laying on the lounge in the dining-room; had no conversation with him them; was there on Saturday after tea, and remained till the next morning; Miss Brookfield, Mrs. Noyes, Mrs. Halsey Wood, the prisoner and 3 physicians were there; Halsey Wood lived across the street a little South; he was a brother of D. J. Wood; I. L. Wood was walking the rooms most of this time: the kitchen, dining-room, and sometimes stepped into the bed-room: I procured some beef tea for Mrs. Wood; found it in the bottle sitting in hot water on the kitchen stove; took some to Mrs. Wood in the evening; she died between 12 and 1 o'clock; talked with Mr. I. L. Wood about poison that night; I asked him if there was any poison about the house; if there was any in bottles or in the pantry anywhere, that the girl might use through mistake in cooking; he said his brother had no poison about the house: that he was a very careful man and would not have any about; he appeared very anxious about Mrs. W.; asked if I thought she was going to die; spoke of his anxiety to leave and go to his own family; said he was in a hurry to go East, as his wife was in delicate health, and would not live long; said he was anxious to go to her; don't remember what I told him about Mrs. Wood's recovery; this conversation was in the kitchen when I was preparing the tea;

think there was no one in the kitchen but myself and the prisoner; think I. L. Wood stood back toward the door when she died, back of Miss Brookfield; my attention was directed more particularly to Halsey Wood; he stood near me sobbing; saw the children in another bed-room as I passed the door.

The Conrt here announced an intermission of one hour.

THURSDAY—AFTERNOON SESSION.

Court convened at 2 o'clock P. M., and the examination of witnesses was continued.

Kassimer P. Jervis.—Resided in Dansville in the summer of 1855; had the pastoral charge of the M. E. church; had some acquaintance with Mrs. Rhoda Wood; remember her death; I have no distinct recollection of anything being said about a post mortem examination before she was buried by any one except myself; think I spoke of it to two individuals; spoke of it to Dr. Endress, and think I did to Isaac Wood; the substance of the conversation was this—I suggested to Wood that it was a very wonderful affair, and asked if he did not think it best there shd be an examination of the contents of the stomach; he replied that he thought there was no need of it.

Mrs. Eila McWhorter.—Reside in the town of Barns; in 1855 resided in Dansville; knew David J. Wood about five years; knew Mrs. Wood, resided in their family about 4 years ago, know I L. Wood by sight; was at Mrs. Wood's during her last sickness once; it was the second day she was sick; I went to see her; had heard they were sick; I think it was in the afternoon; I should think after 12 or about 1 o'clock; saw Miss Brookfield, I. L. Wood, the children and Mrs. Wood; went in from the west side of the house; in the side door; it opens into the dining-room; saw I. L. Wood sitting in the dining-room between the kitchen door and the outside door, by a stand; the children were on the sofa in the dining-room; Mr. Wood was mixing medicine; I saw him take something from a paper on his knife and put in the powder that was put up; he took it from a brown paper that lay open on the stand; it was a white substance; the paper was larger than the one the powder was in; (witness is shown a par-cel which she says is similar to the one he used;) he mixed the two together, in a teaspoon; he then gave it to the little girl; she was lying on the sofa; he told her she must take it; she was braced up when she took it; he told her to lie on her back to prevent vomiting it up; I stayed there one-half or three-fourths of an hour; I was in the bed room also; Miss Brookfield was in the dining-room at that time; Mr. Wood went away in a few moments; remained in the bed-room about half the time I was there; Miss B. was sitting at one end of the sofa and I at the other; she sat at the end nearest the door; did not see the brown package after he went away, that I remember.

Mrs. Pamelia Hedges,— (Not in the Court Room.)

Joseph J. Welch.—Resides in Dansville; knew D. J. Wood; knew the house where he died; have heard that he died there; I now occupy the premises; have lived there since April 15, 1857;

occupy the barn and house; I found a package in the barn; on the plate under the roof board; found it the 5th or 6th of July; it was placed in a corner against the rafters; it was shoved under as far as it could be; there was a spider web in front of it, but they did not fully conceal it; considerable dirt and dust of hay on it; I took it from there; it was rolled up; I went to the head of the stairs, sat down and opened the bundle; found 3 parcels in the package; found around two of them bills of the administrator's sale of D. J. Wood's personal estate, and pieces of newspaper; remember of no other bill; also another bill of an auction sale of property in New York City dated Jan. 26, 1856; found pieces of newspaper also. (Witness is shown the package, opened, and recognizes it as the one he found;) I done up the bundle and put it back where it was before; they remained there about a month; I took them down again and opened them before Geo. Hyland and Tom E. Lemen; we added no paper to it; I told them and we took it to Niles' Store, and gave it to Mr. Niles; think this was the 7th or 8th of August; Rev. Mr. C. H. Hersh lived in the house before I did; it has a small horse barn; had a hay loft; stairs go up in the south-west corner; stalls are on the south side; package was found directly over the stairs, about four feet from south-west corner of the barn; do not know how the package came there; I found bugs near the package. •

Cross-Ex.—Had occupied the premises from April 15; I went up to throw down hay, I put the hay in the barn some time previous, I mowed it away; as I got to the top of the stairs I had occasion to turn around; my wife spoke to me and as I turned to answer, I noticed the package; there is a floor to the hay loft; hardly think a person could see it from the floor of the loft, the plate is higher than my head; could not reach it from the floor; because it was across the stairway; I mentioned it to Mr. Abbott a day or two after I discovered it; there were two or three around; Tom E. Lemen afterwards asked me about it; this was the 6th or 7th of August.

Charles H. Hersh.—Reside in Dansville, lived in Dansville since July 11, 1855, am preaching the Gospel; I occupied the house where Mr. Welch now resides from about the 3d or 4th of August until the latter part of March last. I delivered the key to Esq. Abbott, and no one occupied it to my knowledge till Mr. Welch moved in; I kept a horse in the barn about two weeks; think the horse was there the latter part of Oct. or first of Nov. 1856; I commenced using it as a woodhouse about Christmas; had a little hay in the loft while the horse was there; I placed no package of any description in the barn; was not aware that there was anything of the kind there; it may have been there and escaped my notice; I rented the premises of I. L. Wood who had previously occupied it; he left the premises when I moved in; had been to look at the house while Wood lived in it; went out to look at the barn also; there is a small garden on the premises; I. L. Wood I think moved from Dansville the same week; his family consisted of wife, child and servant girl; think

he told me he was going to take his wife to N. J., and he would go to N. Y., for a while.

Cross-Ex.—The barn was not kept locked while I was there; I. L. Wood was with me when I looked at the premises; went to the barn with me; think I went to the head of the stairs and looked on the mow; don't think he went up; I was on the mow when the hay was put in.

Edward Niles.—Reside in Dansville; am a druggist; have been in the business these 24 or 25 years, Mr. Welch handed me a package last August, composed of three parcels, enveloped with advertisements and pieces of newspapers; (witness is shown the package alluded to above, and recognizes it.) The package appears the same as I found it except one label that I will not be positive about; I handed the package to Dr. Caton; I made no change in it, except putting a piece of wrapping paper about it; I furnished the jars spoken of to Dr. Caton, or assisted in procuring them; was not present when the bodies were exhumed; I was near by when the stomach was put in the jar; was near when one of the viscera was in the glass jar; think it was not interfered with while there; the jars were clean before using; there is a well and cistern in rear of the store; use the well water for drinking purposes daily; I furnished the alcohol that was in the jars; it was the best 95 per cent. alcohol; never knew of arsenic in alcohol; saw Caton take the jars from the store; I assisted in packing them; used all the care I thought requisite in sealing them to exclude matter from getting in. (Mr. Niles here described the jars and the manner of sealing them up; they were tied with a cord and a private seal put on the knot, after covering it with wax.)

Cross-Ex.—Had the package about two or three weeks before it was delivered to Dr. Caton; it was kept in a drawer in the desk; there are clerks in the store; a part of them had access to the desk.

The District Attorney here stated that the package is in the same condition now that it was when it came into his possession, which was admitted by the defence.

Tom E. Lemen—Have seen this package (the one alluded to,) Jos. Welch had it; there was writing upon it; see no alteration in it; noticed it; notice no change in it; am the individual who was with Welch when he gave it to Dr. Niles; know I. L. Wood.

Mrs. Noah Smith recalled—I. L. Wood occupied the premises where Mrs. Wood died after her death; he occupied the premises till Mr. Hersh moved in; he kept house there; knew D. J. Wood's horse and buggy; saw I. L. Wood use it after his death; kept it in the barn.

Cross-Ex.—Remember when D. J. Wood died; his wife was not at home; he died on a Wednesday; she arrived on the following Friday; saw her on Sunday; her health was so that she was able to sit; was not very well.

Mrs. Pamelia Hedges—Reside in Dansville; resided there a good many years; lived there in the summer of 1855; knew

Rhoda Wood very well; remember her death; know Miss Brookfield; remember her and Mrs. Wood calling at my house that summer; called but once; it was after her return from N. J.; it was about the Monday or Tuesday previous to her death; it was about 9 or 10 o'clock; I made a remark about her husband's estate; Mrs. Wood said she was sick, very sick; we helped her to a seat, Miss. B. thought what I said disturbed her; she said it was not that, but that she had a burning pain the same as she had before she went to N. J.; she recovered soon and went away; she complained some when she left, but said she was a great deal better; I was at the house on Thursday morning; she was so sick that I did not go in to see her.

Cross-Ex.—It was pretty near twelve when she left my house.

Miss Margaret Lynch—Resided in the spring and summer of 1855 in Dansville; lived in Mr. Wood's family; lived there 7 or 8 months; lived there when Mrs. Wood was sick, there was in the family at that time Mrs. Wood, the children, Miss Brookfield, and Mr. Isaac Wood; think they were taken sick on Tuesday; I got breakfast that morning; had veal and coffee; think all drank coffee except Miss Brookfield; I took coffee; usually had breakfast about 8 o'clock; I. L. Wood was at breakfast that morning; also, Miss B., Mrs. W., and the children and myself; Miss B. and Mrs. W. left the house soon after breakfast; don't recollect whether I. L. Wood went away or not; the children went to school; saw Mrs. W. again at or about noon; she came home sick; the children had not come home; they were sick when they came back; when Mrs. Wood came home she came into the dining-room through the kitchen hall.

I remained there during her sickness; saw Isaac Wood in the afternoon; he was there during her sickness; saw him every day; he came out in the kitchen and said he had the head ache; this was the day she was taken sick; he was around the kitchen and all over; said nothing about Mrs. W. except when I asked him how she was; he said he thought she was pretty low; I. L. Wood lived there pretty near all the time that I did; saw him almost every day; did not notice that he looked unwell while Mrs. W. was sick; never knew of any one having poison about the house; never knew of any there or any being used there; heard nothing said about poison until after they were buried; know Dr. Patchin; don't recollect of his talking with me while she was sick; Mr. Wood died a short time before Mrs. Wood; his writing desk was in the corner of the dining-room; he was there writing a considerable; have seen him take out books and papers; kept there books to write in and read from.

Cross-Ex.—Had breakfast late that morning; can't say what time; think the desk was kept locked.

James Brewer.—(Not in the room.)

Nelson S. Hibbler.—Reside in Jersey City; place of business in N. Y., am a dealer in provisions; been in the business 15 or 20 years; known I. L. Wood since 1854; don't know whether he resided in Dansville, N. Y., or New Providence, N. J., knew

him first in the spring; he came to our store in N. Y.; have had business transactions with him since then; we sold produce that he sent us on commission; think he resided the greater part of the time in Dansville; he went once or twice to New Providence; do not know where he went when he left Dansville; in the latter part of winter and spring of 1855, we were doing business with him; resided then at Dansville.

On the 18th of July, 1855, we received a note drawn by D. J. Wood to the order of Isaac L. Wood for the sum of \$2,650; note dated June 12, 1854; (witness is shown the note, and recognizes it;) I have a partner: it is John B. Emery: the firm name is Emery & Hibbler; took the note on balance of account; we had overpaid him some \$2,000; we commenced receiving from him June 17th, 1854; April 25, 1855, he owed us \$1700; July 5th he owed near \$2,000; he was then at New York, and we told him we did not feel satisfied to advance any further on his account; he then offered this note in connection with others which he had, and this being the largest amount, we proposed to take it if he would satisfy us of the solvency of the estate.

The following minute is on the back of the note: Isaac L. Wood says the estate of David J. Wood, deceased, is worth over and above all debts, at least \$25,000 to his certain knowledge;" think I put this on the back with a pencil the day I took it; it is the substance of what I. L. Wood told me; at this time he owed us in account and acceptances more than the amount of note; he left the note as security, and wanted us to hold it; said it was for money lent his brother, and wanted to take it up himself; before he commenced sending us stuff, went there to make arrangements, he told us, I think, that he had sold his farm or some other property in New Jersey, for about \$2,000; that he took the money to Dansville, or intended to take it there, and let his brother have it; that his brother was going to accommodate him by endorsements, etc., and that he should be obliged to draw on us as fast as his stuff arrived, or faster, in order to pay for it here; something was said by Isaac about smaller notes that he had previously taken of his brother, which went in to make the \$2,560; his deal commenced June 17, 1853—never saw the note till the day I took it; we paid a note for him April 25, 1855; don't remember that he said anything about it the time he took the note; he told me repeatedly that the estate owed him the amount of the note; urged us to send it up for collection; I took a statement from Isaac L. Wood that the estate was solvent, and that it owed him the amount of this note, which he signed; the note is endorsed by Isaac L. Wood; think it is a genuine signature; (witness is shown a number of letters, which he recognizes as business communications addressed by I. L. Wood to Emery & Hibbler;) he told me he had other notes besides this, that he offered in lieu of this one.

The Court here adjourned until nine o'clock A. M. tomorrow.

FRIDAY—MORNING SESSION.

Court convened at nine A. M., and the examination of witnesses on the part of the prosecution was continued.

George W. Shepherd.—Reside in Dansville, lived there 12 years; am a physician, knew D. J. Wood, practiced medicine about 15 years, D. J. Wood is not alive, he died in Dansville, I attended him during his last illness, saw him on the 14th day of May, 1855, this was Monday, saw him about 7 o'clock that evening, had not previously attended him, had made prescriptions for him at my office; saw him at his house on the 14th, he was sitting up and was dressed, was drinking tea and eating toast. (A lengthy discussion here ensued between the respective counsel relating to the propriety of admitting this evidence. The evidence relating to the poisoning of D. J. Wood is introduced by the District Attorney for the purpose of showing the motive for the murder of Mrs. W., it is claimed on the part of the prosecution that the murder of D. J. Wood is a connecting link in the series of crime of which the prisoner is guilty, and that they have a right to show it. It was decided that the evidence is inadmissible.)

Tom E. Lemen recalled—(witness is shown the note alluded to by Mr. Hibbler.) Knew David J. Wood ever since I was a boy, was engaged in business with him at Dansville as partner in trade, this was from Aug. 1850 till April 1854, have seen him write, know his handwriting, think the signature to this note is not his writing, have no doubt it is not, during the partnership I was with him from day to day.

Cross-Ex.—Think I saw this note first about a year ago, am well acquainted with D. J. Wood's handwriting, have distinctly in my mind the form of characters used, the D. here is similar to the genuine, the J. is quite different, he generally connected the J. and W. in writing his name, have never seen him write his name where oo was looped, notice no other distinction except its general appearance, never had any business relation with L. L. Wood, I have taken an active part in this prosecution, I had a lawsuit with D. J. Wood, which is still in litigation; I claim against the estate about \$2,000 and costs, there are 4 suits now pending, have not been at enmity or had any bitter feeling against the prisoner.

Re-Direct.—Don't recollect of ever seeing D. J. Wood loop the two oo in Wood as these are on the note.

John W. Brown.—Reside in Dansville, have lived there since 1844, knew David J. Wood from the time I moved there till his death, am a merchant, have had deal with D. J. Wood, am acquainted with his hand-writing, this signature (on the note) does not look like his, should say it was not.

Cross-Ex.—Have seen D. J. Wood write, this signature has been the subject of some talk in Dansville, Mr. Bulkley showed me the note first, have heard the note spoken of, but no opinion as to its genuineness, have taken a great many orders and due-bills from D. J. Wood, neither of the capitals look like his, the D nearest to it, his signature is pretty uniform, the oo in Wood are not joined at the top, he sometimes joined all the capitals together, and then only the J. and W. (Witness is shown a number of papers on some of which he identifies the signature of D. J. Wood and expresses doubt about others.)

Edward Niles re-called.—I am a druggist, lived in Dansville all the while D. J. Wood was there, had business transactions with him, know his hand writing, don't think this is his signature.

Cross-Ex.—Heard of this note in Sept. or Oct., I have the cash book of D. J. Wood, I got it of Mr. Kennedy, I got it to refresh my memory in regard to his signature, I judge partly by comparison, think the general character of the signature has a resemblance to the genuine, think the signatures in the cash book are genuine, I have an opinion who wrote the body of the note. I compared the note with signatures in the cash book at the Clerk's office about the time I. L. Wood was indicted, am somewhat acquainted with his hand writing, independent of the signature.

Re-Direct.—I think I. L. Wood wrote the body of the note.

Cross-Ex.—Am not very well acquainted with I. L. Wood's hand writing, have seen it or have seen writing admitted to be his, have never seen him write.

Daniel Ingersoll.—Reside in Dansville, lived there about 35 years, knew D. J. Wood all the time he lived there, have seen him write, have done business with him, think this (on the note) is not his signature, have no doubt in regard to it, am not acquainted with I. L. Wood's hand writing.

Cross-Ex.—Saw the note in Esq. Bulkley's possession some time last summer, said then I thought it a very good resemblance, was subpoenaed by Bulkley in a civil suit of Emery & Hibbler to recover on the note, never saw the note afterward till to-day. (Witness is also shown a number of letters some of which he pronounces written by David J. Wood.)

Re-Direct.—After I was subpoenaed here I looked over some documents that I knew were signed by D. J. Wood, and changed my mind in relation to it.

Mrs. Elizabeth Littles—Reside in Dansville, knew David J. Wood and his wife, remember his death, know Isaac L. Wood, was sent for the morning after D. J. Wood died, and went to the house, got there about 11 o'clock, remained until after nine o'clock that night, saw I. L. Wood there, saw him when I just went up, he was in the dining-room, part of the time walking the floor and part of the time at the desk, had never been there before, while at the desk he was overhauling papers, would take out a package, look it over and lay it back, saw him take papers out of packages and lay them on the desk, they lay on the desk and I saw his motions, saw him put some in his pocket, when individuals came in he would put up the papers, and appear to be reading, saw this done several times, noticed it first when Mr. Hequembourg came in, when he came I. L. Wood spoke to him, and I noticed a tremor pervaded his whole system, he pushed the papers one side and took up a tract, noticed him after that more particularly, it was afterwards that I saw him put the paper in his pocket, he was at the desk until between two and three o'clock in the afternoon, he was very much excited, after he got through at the desk he was compar-

atively calm, but showed at times considerable agitation, the corpse was in the front parlor, when I was there Mrs. Chester Bradley, Mr. Hequembourg, and several others came in and out, none of the family were there except the hired girl, she was going back and forth to Halsey Wood's.

Court here took a recess of one hour.

FRIDAY—AFTERNOON SESSION.

Court convened at two o'clock P. M., and the cross-examination of Mrs. Littles was commenced.

Cross-Ex.—Lived in Dansville 19 years; knew D. J. Wood; was slightly acquainted with Mrs. Wood; Mr. Puffer came for me to go the first time, and Lester Bradner the next time; no one there except I. L. Wood when I got there; Mrs. Wilson's daughter may have been there; she left about the time that I arrived; am not certain what her name is; think it is Cordelia; I live near Dr. Endress'; had seen I. L. Wood before; knew him; when I first went in he was walking the room; seemed agitated; heard Dr. Shepherd say he died at six o'clock the evening before; I. L. Wood went to the desk about ten minutes after I got there; don't remember of seeing him write letters; think Mrs. Bradner was the first that came after I got there; think she came before 12 o'clock; Mr. Bradner was there; Mr. Hequembourg was the next one that I recollect of; don't think that he went into dining-room at all that time; most who came did not go into the dining room; were times when no one was in the dining room except I. L. Wood and myself; don't know what papers he was examining; did not know then that it was D. J. Wood's desk; knew I. L. Wood was a member of the family; thought then his being at the desk was a suspicious circumstance; watched him because my suspicions were aroused; did not know what was in the desk; from the manner in which they were done up supposed they were valuable papers; they did not appear to be letters; did not think then his agitation was caused by the death of his brother; he would turn pale when certain names were mentioned; I had suspicions about the death of D. J. Wood then; had heard the symptoms spoken of; my suspicions were aroused that all was not right; what I saw there led me to connect I. L. Wood with it; have seen a great many corpses, but never one that looked like this; don't remember of seeing the corpse of a person that died with the cholera morbus; Mr. Hequembourg was one of the persons whose name made him turn pale, never communicated my suspicions to any one in Dansville; spoke to my brother-in-law from Buffalo about it at the time D. J. Wood was disinterred; the desk I think stood in the N. E. Corner of the room; Halsey Wood was not there; he and his family were away.

R.-Direct.—Had no conversation with I. L. Wood; said nothing to him or he to me; I went there to take care of the house; I made the shroud.

Mrs. Eliza Bradley sworn—Resided in Dansville in 1855, lived there 34 years, knew David J. Wood, have seen Isaac L.

Wood, knew him by sight at that time, was at D. J. Wood's the day after his death, was there about 11 o'clock, saw Mrs Littles, Isaac L. Wood, Mr. Puffer and Esq. Abbott there, I. L. Wood was sitting at the desk in the dining-room, he was looking over papers, and part of the time writing, took the papers from pigeon holes in the desk, did not see what he did with them, stayed there near two hours, he was there all the time, and there when I went away, he looked up once while I was there, and he seemed very much agitated, it struck me as very singular to see him sitting there looking over the papers, without noticing anything else, I spoke of it at the time Mr. Puffer and Mr. Abbott were there when I left, they had been there near an hour.

Cross-Ex.--Spoke of I. L. Wood's appearance when I got home, did not know whose papers they were, thought it was singular he should be looking over papers at that time, never saw a letter about the desk, he wrote on a blank book, and on papers that were folded like notes, don't know what he wrote, can't say whether he wrote letters there or not, I sat in the dining-room most of the time when I was there, I sat there sometime before I saw his face, did not speak to him, he seemed to be busy all the while, Puffer and Abbott were in the dining-room part of the time Mrs. Littles was out and in, don't know that Puffer or Abbott, spoke to I. L. Wood, he kept right on at the desk.

Rev. Chas. L. Hequembourg--Resided in Dansville in 1855, I had officiated as the minister of the 1st Presbyterian church, had been there in the neighborhood of 2 years, was well acquainted with D. J. Wood, he was a member of my church, I was in the habit of calling frequently at his house, was there for six months before he died as often as twice a week, and on the sabbath, I heard of Mr. Wood's sickness late on Wednesday afternoon, saw him at my residence on the Sabbath previous, he died on Wednesday evening, I was there soon after his death, I saw the prisoner there, I had been told the symptoms of his illness, spoke with the prisoner when I got there about the manner or cause of his death, I was there again during Mrs. Wood's last illness, do not remember the day I heard of her illness, I think it was on the third day of her illness, went there immediately, my wife informed me of her illness, I saw the prisoner there, spoke with him relative to the cause of Mrs. W.'s illness and that of the children, the import of the conversation was, I told him that it was extraordinary, Mrs. Wood and the children all lying sick with the same symptoms with which he died, the case was so remarkable that I told him I thought there was poison in them all, I pursued my inquiries with him to learn what the cause might be, think I mentioned the possibility of some malaria in the cellar, he replied and said there was nothing there; expressed himself strongly; I proposed to go into the cellar with him to make an examination; am not certain what reply he made; he did not go down; I then pursued other inquiries; I thought of the neatness of my friend Mrs. Wood's habits; there was considerable veal in the market at that time, and I think I asked him if they had been eating it; he assented to it that veal had been eaten; asked whether the hired

girl had partaken of the veal, he answered no; asked if Miss Brookfield had eaten any and received the same answer; he observed he had been taken sick at the same time; think he said he got out of his buggy on the way to Burns; he expressed himself very confidently that the sickness was caused by the veal; can't say whether anything further transpired at that time; am not certain that he was sick; I was there I think the next day; I saw nothing indicating that he was ill; heard him complain of being sick once or twice afterward; he once put his hand, (and I think both hands,) on his stomach and said he was sick; recollect of his complaining twice; saw nothing in his appearance indicative of illness; saw nothing in his manner previous to Mrs. Wood's death that impressed me with suspicion.

The children came under my charge some time in the latter part of August, 1855; I reside in Warren, Pa., they have been with me ever since; I took them from I. L. Wood; he came and talked with me about it; he came to me in the character of guardian; I supposed he was; I removed to Pa., the next April; I. L. Wood spoke with me in regard to the solvency of his brother's estate; he remarked that it might be insufficient to provide for the wants of the children; when the children were first bro't to us several conversations were had in regard to the cost of their maintainance; the price agreed upon was \$5,50 per week; I have an impression that I have mentioned to him several times our common belief that the estate was valuable; when the price was fixed he thought it large; he never asked for the children; my taking them away had been a matter of conversation; think he was unwilling I should remove them with me; we had a number of conversations in regard to the children; he told us first the children were to be placed under the care of some one till they came of age, and we expected to take them; we first took them for a few months and desired to ratify the arrangement for their permanent location; but he appeared from the time the price was fixed desirous to recede from the understanding; he once came and took one of the children to ride; I was very much struck with his appearance at the time; I was alarmed; called the children and told them they could not ride with their uncle; I called him into the house and told him we had a little business to settle; he did not come in; I made a calculation of the cost of keeping the children up to that time, and he assented to its correctness; I asked him to pay it, but he did not.

Cross ex.—Wood was in Dansville when I took the children to Pa., I regarded D. J. Wood and family as particular friends; have reason to think they so regarded me; think this was known to I. L. Wood; never invited I. L. Wood to come and take the children riding, but he may have proposed doing so to me.

Jas. Brewer.—Reside in Dansville; lived there most of the time for 20 years; knew D. J. Wood; did not know I. L. Wood in 1855; knew him first, 3d day of Sep.; saw him in Rantoul, Ill.; think he was at work on a farm; he living with a Mr. Parshall; think that is the name; was not a thickly settled country; I went there to arrest him; it was a private house; I arrested

him; don't know that he had any personal property except a trunk, clothing and a watch; examined the trunk: took some papers from it; (witness produces the papers:) there were a few other papers in it: these are the most of them: think I found the paper they are wrapped in in the room he occupied: had a little conversation with him there: it referred to his arrest: he was not aware that he was arrested till I had the iron on his hands: he was excited and asked what it meant: I told him I supposed he was aware there was some difficulty in settling his brother's estate, and about some papers said to be forged: he said he had been apprised of a note said to be forged: but he could satisfy the people of Dansville that it was not a forged note: that his brother David had given it: I then requested him to go with me: went to the house with him to change his clothes: had no further conversation of any consequence: I did not then tell him the cause of the arrest: Rantoul is 120 miles from Chicago: on Monday morning after we left Buffalo I informed him what he was arrested for.

I told him that he was not arrested for forgery, but on a charge of murder: he asked me for the murder of whom: I told him his brother David and his wife had been poisoned: after a little hesitation he remarked that it was a very singular case: that was about all at that time: about half an hour afterwards I told him the people in Dansville strongly suspected he had murdered his own wife, he asked why they suspected it: I told him they had been told that she died in the same manner that D. J. Wood and his wife died: he said that was not the case: she had been sick a long time: I asked what the disease was: he said consumption: think I asked him when it was his wife died: I don't remember what he told me: he said his wife had been sick so long that it made a poor man of him: that he had to go to work by the month to pay the funeral expenses.

Cross ex.—Arrested him on a warrant issued by Coroner Caton: had a warrant issued by a Police Justice in Chicago: I was deputized to serve them: I swore to the hand-writing of the Coroner, and upon that he issued his warrant: am not a Sheriff or Constable: was deputized by the Coroner: deft. did not enquire my authority: came along without any objections: don't remember that he said he was entirely innocent: talked with a great many on the subject: don't remember of meeting you (J. Wood, jr.,) at Avon: remember meeting Lewis Carroll and talking with him about the forgeries: did not know with certainty where to go for him: had heard he had written to some persons from that place: found him 3 miles from where I expected: it was out on the prairie, I should think $\frac{1}{2}$ a mile from any other house: I took the package from his trunk and have had it ever since in my possession.

Re-Direct—Made a partial examination of the package when I first found them: observed that paper (one that is showed witness signed by Ira Davenport and addressed to D. J. Wood:) don't see any change in it: (the District Attorney here submitted the letter on the back of which was written three times the

name of D. J. Wood: they hold it was done by some person attempting to imitate the signature of David J. Wood:) the letter refers to a \$500 note sent enclosed by Davenport to Wood:) found the pocket book herewith enclosed, on the inside of which is written the name of D. J. Wood.

Cross Ex.—Have not seen Mr. Wood write for the last 8 years.

Luen P. Kennedy.—Reside in Burns: resided there since March, 1855: knew D. J. Wood: know the prisoner: I knew D. J. Wood think as much as ten years before I came to Burns: have known I. L. Wood since 1854: it was in the summer or fall: think I saw him first at Burns Depot: think his brother David J. was there: I. L. Wood then resided in Dansville: I know Ira Davenport: am acquainted with his hand writing: have seen him write. (Witness is shown the letter found in the package.) Think this is his hand writing: he generally writes a coarser hand: Davenport resides at Bath: I am one of the administrators of the estate of D. J. Wood: am the only one at present: was appointed soon after his death: have been sole adm, since Aug. 1856: previous to that time I did not act much as such: I acted previous to that time in a matter in which I. L. Wood was interested.

A number of papers, consisting of contracts, notes, letters, &c., were submitted in evidence, and a lengthy discussion ensued in regard to the propriety of its admission. Before rendering a decision, the Court adjourned to nine A. M. to-morrow.

SATURDAY — MORNING SESSION.

Court convened at 9 o'clock A. M., and the examination of Mr. Kennedy was continued. The Court decided to admit the contract in evidence, but set the Davenport letter aside until it should be shown how it was material.

Luen P. Kennedy.—Since this contract was assigned to me the erasure of the \$300 endorsement has been made; was not present when the first endorsement was made; this is dated Feb. 28, 1856; saw D. J. Wood the Saturday previous to his death, at Burns.

Benton Barnard.—Reside in Livonia; have known I. L. Wood since the last of June 1854; have had deal with him; I am the Benton Barnard mentioned in the contract; there were two endorsements on it when I bought it, the \$200 endorsement by D. J. Wood, and an endorsement which says \$300 in figures, and \$315 written out; Isaac L. Wood spoke of these endorsements; said that he endorsed the \$300 himself while going to Burns in a buggy with D. J. Wood; said D. J. Wood told him to endorse it on to see his manner of doing business; said nothing of the time it was made; only said where they were going; he was at Halsey Wood's house trying to make a settlement to endorse on the contract; this was before it was assigned to me; they differed in opinion as to how much should be endorsed on; Halsey told him he could not allow the \$300 or \$315 endorsement; he was under oath and could do

nothing but what he believed to be correct; I. L. Wood replied that he wanted what was his due; that Halsey would find the estate owed him about \$1000 more than was due on the contract; this was in Feb. 1856; they did not complete the settlement at this time; (witness is shown a note) don't remember of seeing any note that evening; heard Isaac speak of a note of \$300 which he held against the estate; (witness is shown a paper which he recognized as the hand writing of Halsey Wood;) the next day I went to get my pay of Isaac; he owed me some; he offered to let me have notes against the estate; handed me one of \$300; did not keep the note; he said he had another note against the estate; I saw that the note was signed by D. J. Wood; said he would let me have it; took it and put it into my pocket; soon after saw Halsey and he said it could not be transferred; that whatever was due Isaac would have to be endorsed on the land contract; handed the note back to Isaac; don't remember what he said; the contract was afterward transferred to me; he said there was \$1320 endorsed on it.

Adoniram J. Abbott.—Reside in Dansville; am an attorney; known I. L. Wood since 1854; have assisted in transacting business where he was interested since the death of his brother; the transaction relating to this contract was Feb. 28, 1856; the large endorsement is in my own hand writing; the erasure of the \$300 endorsement had been made before it was brought to our office; the administrator, D. H. Wood and I. L. Wood came to our office for advice I suppose; there was a good deal of conversation before the \$300 endorsement was made; there was something said about the erasure; it was said that the \$300 endorsement was invalid; think by both of them; they stated that they had been settling and found the estate indebted to Isaac, and asked the propriety of endorsing it on this contract; there was a difference between them about a note which was submitted to me; there seemed to be a difference in regard to the amount due upon it; (witness is shown a note) this is it; D. H. Wood claimed that the date had been altered from '54 to '52, making a difference of two years' interest; I said the date had evidently been altered, and after conversation it was agreed that interest should be computed from '54 instead of '52; Isaac did not press the matter; the note was executed by David J. Wood, I think; don't remember whether the filing on the back was there then or not; don't think I can give a reliable opinion in regard to his hand writing; this note made a part of the endorsement; (witness is shown another paper) this was there at the time; it appears to be executed by David J. Wood, think it is his signature; the body of the endorsements are in my handwriting, the signatures were made by I. L. Wood. the amount of these endorsements made on a part of the \$1300 endorsement, this paper is in reference to the tavern lot in Burns, (witness is shown another paper) this is a receipt given at the time by I. L. Wood, it was drawn by me, it is for \$650 12, \$144 26, for account, this with the two other matters made up the \$1300, at the time the endorsement was made it appeared that a por-

tion consisted of book account, I suggested that Isaac had better draw it off and verify it in the usual way, did so, the account against the estate was sworn to before me; (the paper is shown and recognized by witness.)

Lovell H. Puffer re-called,—(Witness is shown a blank book)—Have seen this before, it belonged to D. J. Wood, was kept in the safe in the store, it was his cash book, was kept in the same place after his death; D. H. Wood did business there at the time, heard of the \$2650 in Sept. after Mr. D. J. Wood died, I made an examination of the cash book in reference to it, the entry of \$2650 which appears in it now was not there at that time, this entry appears to be an alteration, the footing at the bottom appears to be an alteration, the column foots up \$5-213 05, amount carried to next page is \$2715 05, making a difference of \$2500, can't see what the original amount of the entry was, the interlineation above has no resemblance to D. J. Wood's hand writing, (witness is shown another book) have seen it before, am not familiar with it, it is in the hand writing of D. J. Wood, appears to be an account book, (attention is called to an account with I. L. Wood in this book) there may have been alterations here.

(Feb. 28, by cash \$10, Feb. 19, cash on account \$20, March 22, 1855, by cash \$248 08,—these are the entries to which the prosecution call particular attention) think there has been alteration in the last item, the "2" appears to be changed, (May 8, by cash and account at my house \$45) appears to be an alteration in this, I. L. Wood was frequently in the store after D. J. Wood's death, he had access to the safe, don't know that I ever saw him have the cash book, have frequently seen him looking over the papers and books both before and after D. J. Wood's death, (May 8, 1855,) entry appears to be altered, (Rec'd of I. L. Wood on con. \$315, May 9, Rec'd of do, on land contract \$200, appears to be altered.

Cross-Ex.—Think I have seen I. L. Wood examine the books previous to his brother's death, think Isaac kept a book in the safe, this book here was D. J. Wood's private cash book, he had another for the business of the store, I had access to this book, think I first examined it closely in September after Mr. Wood's death, did not then discover all the alterations; I examined it in reference to the \$2650, don't remember of discovering any alterations at this time, examined to satisfy myself, Halsey Wood first informed me of the note, Halsey does not live in Dansville now, understand he is in Newark, N. J.

Re-Direct.—Halsey Wood brought a copy of the note from New York, he was D. J. Wood's partner for 13½ months before D. J. Wood's death, (witness is shown a large pocket-book) can't tell for certain whose it was.

Luen P. Kennedy re-called.—Know I. L. Wood's hand-writing, (witness is shown an entry in the cash book) looks like the writing of I. L. Wood, (May 12, 1853, Pd. I. C. Cook note \$243 23, the last entry in the book) (Sept. 8, 1854, Pd. O. L. Cook and book account and note, 413 13, written under an erasure) this resembles I. L. Wood's hand writing.

Cross-Ex.—The items on the last page, except the one referred to are in D. J. Wood's hand writing, the last one is not exactly the ordinary hand writing of I. L. Wood, the item of Sept. 8 looks like I. L. Wood's writing, the figures somewhat resemble the others.

The prosecution here presented documents proving the appointment of Rhoda Wood as guardian of the children, May 28, 1855, and the subsequent appointment of I. L. Wood on the 19th day of June, upon his own application; also the appointment of Rhoda Wood as administratrix June 1, 1855, together with Daniel H. Wood and Luen P. Kennedy as administrators. They also presented from the Surrogate's records a sworn inventory showing that at the time of D. J. Wood's death there was no money in his possession, or that none came into the hands of his administrators; this was decided inadmissible as evidence.

Mrs. Hedges re-called.—Went to Mrs. Wood's house when she was sick, but did not see her, first person I saw was Miss Brookfield, saw the prisoner there very soon after I went in, he came out of the bed room where Mrs. Wood was, he said it would not answer to let people go in to see her, as it disturbed her very much, think this was Thursday, think he had a spoon in one hand and a cup in the other, don't remember of his saying anything further. I had a conversation with Miss Brookfield, was there several days after the burial. Miss Brookfield, Mrs. D. H. Wood and I. L. Wood were there, he was sitting by the desk, we were all in the dining room, I said I thought it was a pity their stomachs had not been examined before burial, as the rumors were strong about suspicions of poison, Mrs. Halsey Wood said they had heard so, and that Mrs. Rhoda Wood said once she thought she had been poisoned, and asked them to look in the tea-kettle to see if there was not a spider there, soon after I. L. Wood stopped writing and looked up, he looked as though I had touched a sensitive feeling.

Cross-Ex.—This was several days after Mrs. Wood's death, they were packing up some goods to send to New Jersey; had no suspicion of I. L. Wood at that time, think I spoke of this conversation when I got home, have spoken of this conversation a great many times, Mrs. Halsey Wood spoke to me of it just before last Christmas in New Jersey, think I spoke of it to the counsel since I was examined before, think I told them I wanted to say what I had to say and go home, mentioned the sensitive feeling of Isaac when I first went home, both brothers exhibited a great deal of feeling at the funeral.

Adam Ehle.—(Not in the room.)

The District Attorney announced that this was probably the last witness on the part of the prosecution.

Court took a recess of one hour and a quarter.

SATURDAY—AFTERNOON SESSION.

Court convened at two P. M.—Mr. Ehle not making his appearance, another witness was called.

John W. Brown.—(Is shown a land contract.) Have seen it before; is executed by D. J. and Isaac L. Wood; saw it in I. L. Wood's possession; it was assigned to me by I. L. Wood, July 5th; 1855; there had then been paid upon it \$500; I believe I. L. Wood so stated at the time; he said there was more paid than there was endorsed on it; think he said there was \$1300 paid on it; [This contract was made Oct. 24, 1853, by which the Somers farm was sold to the prisoner for \$2267; \$500 was paid down; and there was due May 1, 1854, \$1000.]

Witness is here shown the \$2650 entry on the cash book, and requested to look at it through a glass; sees a figure one under the two.

Cross-Ex.—The figures are in ink. [A dispute arising upon this point a piece of rubber was applied which failed to erase the marks.]

N. S. Hibbler.—Think the first and last words in the entry are in I. L. Wood's hand writing: from the general appearance of these words, should say he wrote it; [is shown the entry of Sept. 8, 1854;] should say it was I. L. Wood's writing except the name O. L. Cook; is shown a number of other entries, and pronounces some of them made by I. L. Wood.

The prosecution here announced the conclusion of the evidence on the part of the People.

Mr. Wood remarked that the counsel for the defence was placed in an unfortunate position. Mr. Bulkley, who had made preparation to examine the witnesses was absent on account of ill health, and the remaining counsel desired time to prepare themselves for the examination. He therefore asked the Court to adjourn to Monday morning. The evidence on the part of the defence will be short, and will probably occupy not more than half a day. The counsel for defence will not object to the jury spending the Sabbath at their respective homes and returning on Monday morning.

After some discussion by counsel, Judge Johnson decided that the jury must remain in town under the charge of the proper officers.

Court then adjourned to nine o'clock A. M., Monday.

MONDAY—MORNING SESSION.

Court convened at nine o'clock A. M. As many of the witnesses and spectators returned to their homes on Saturday, the room was not so densely crowded at the opening of Court.

Mr. HUBBARD proceeded to open the case on the part of the defence. He announced that it was very much against his expectations that he was called upon to open the case. He had not had time to prepare such an opening as he might desire, as he had been suffering with ill health ever since he had been engaged upon the case. Although he had been a lawyer of at least ten years experience, he was unaccustomed to addressing juries, and were he ever so well prepared, the circumstances under which he was placed would prevent him from expounding clearly the thoughts he desired to express. He had a high

appreciation of the ability and force of the counsel upon the other side, and had frequently called in his aid in the trial of causes. He had never before taken part in a criminal trial, having a decided aversion to the practice of criminal law. He therefore asked that what he might say or omit to say, by reason of inexperience, would not be allowed to damage the case of his client. After all the flourish the counsel for the defence would not fear the consequences of now going to the jury. The evidence on the part of the prosecution amounts at best to but mere suspicion. Believing ourselves that our client was an innocent man, we were surprised to hear the rumors in the street in regard to what was to be proved against him. We expected that a torpedo would be exploded among us and have been disappointed. We sat here conscious of innocence, but ignorant of what was to be brought against us. The prisoner was lately brought from Illinois on a charge of murder. He has not tried to delay the trial, although he has had no opportunity to make preparation. He had asked to see the minutes of the proceedings heretofore had against him, and they had been refused him. A case of poisoning by arsenic occurred in New England a few years since, and the evidence brought against the accused seemed to fasten the guilt inevitably upon him. He was executed, and a year or two afterward circumstances came to light which proved his innocence beyond the shadow of a doubt.

He called the attention of the jury to the fact that they were now trying the accused upon an indictment for the murder of Rhoda Wood, a fact which the proceedings of the last few days may have led them to forget. The testimony that has been adduced in regard to possible peculations upon the estate of D. J. Wood, has no connection whatever with this indictment. It requires too much of a stretch of the imagination to make a connecting link. To make out any kind of a case whatever, the able counsel who will sum up this case on the part of the people, must assume that my client is a bad man and should be hung on general principles.

Mr. Hubbard spoke at some length upon the difficulties which surrounded the defence, by reason of not knowing what was to be brought against him, and to the alleged peculations upon the estate of D. J. Wood. He alluded particularly to the note which is claimed to be a forgery, and agreed that although it should turn out to be such, it is no evidence of a fraudulent design upon the estate. The jury, he trusted, would look singly at the facts in the case, and sift it entirely from the assumption that has been put forward here that he is guilty of a long, black catalogue of crime of which this is but one of the series. He is now on trial for the murder of Rhoda Wood, and all other assumed charges are extraneous and unconnected with it. He reviewed in detail the proceedings and testimony on the part of the people, and endeavored to show that its main features were too remote to have any bearing upon the case: and there is no evidence whatever to fasten the crime upon the accused. The

tendency of the evidence, he thought, proved that I. L. Wood was an attentive and affectionate man instead of the awful monster they would have us believe.

Mr. Hubbard spoke during the entire morning session. He alluded to a number of minor matters connected with the case, but the above sketch embodies the substance of his remarks.

At a quarter to one o'clock the Court took a recess of one hour.

MONDAY—AFTERNOON SESSION.

Court convened at 2 P. M. Mr. Hubbard announced that there were one or two other points to which he wished to call the attention of the jury, but that he would not consume further time.

EVIDENCE FOR THE PRISONER.

Joseph J. Welch—Reside on the premises where Mrs. Wood died: examined the barn yesterday: a number of persons were there: Hubbard and Bulkley were there: the ridge runs north and south: we pass into the barn from the west, near the center of the front: the stairs are at the south of the entrance: the top step is two or two and a half feet from the south end: the stairs are two and a half or three feet wide: it opens at the top of the stairs perhaps ten feet: the package was found four or five feet from the south end: it may be within three feet from the north end: should think the railing running north and south was about six feet long: the package was on the south side of a rafter: the rafter is a little north of the center of the railing: am not positive about the height of the plate: I am five feet eleven inches: I stood up by the side of the plate yesterday: I can stand up under the roof close by the plate: it is a wide plate, and the pitch of the roof is pretty steep: I stood by it, and Mr. Bulkley remarked that the upper part of the plate was about even with my mouth: I saw you stand on the floor and reach over into the crevice.

Cross-Ex.—The finding of the package was publicly known soon after I discovered it: it would not be natural for me to observe the package in going up and down stairs: the stairs are pretty steep; a person would be apt to pay a little attention in going down; I had been up and down there before frequently; the cob-webs were thickest in front of the package; none of the paper projected over the edge of the plate; the web was thick, and covered with dust; don't know as the package could be seen from the south side.

Re Direct.—The rafters are two and a half or three feet apart.

Rev. Mr. Hersh—(Not in the room.)

Mr. Hibbler—Mr. Wood was in Rantoul, Ill., last summer, I think; I corresponded with him there; have never been there; I did business with him from the spring of 1854, and continued about two years; suppose the amount something like \$50,000; can't tell when his pecuniary embarrassment commenced; have no knowledge of I. L. Wood except a business acquaintance; he

generally drew in advance of shipments; I am acquainted with D. H. Wood; don't know that I ever saw him write; have corresponded with him, and know his hand writing; (witness is shown the \$2,560 note;) never saw D. J. Wood, and never received but one letter from him: have seen his endorsement on notes; don't know that I have sufficient knowledge of his handwriting to recognize it; I am interested in this note, and should not like to express an opinion of it.

Cross-Ex.—Think the total amount of property received from L. L. Wood amounted to about \$5,000; it came in sums of \$50 to \$500; he frequently required advances; we usually received shipments from him two or three times a week; generally by railroad; don't know when he went to Illinois; his brother informed me that he was there.

Re-Direct.—Think I had no correspondence with him when he was in New Jersey: I think I told one or two persons he was in Rantoul: a number inquired of me.

Dr. Reynale—Hydrogen gas is generated by the decomposition of a dead body: I am not sufficiently versed in chemistry to say what effect that has upon arsenic: if there is any remedy for arsenical poison, it is nitrate of iron: did not see Mrs. Wood in her last illness: I have since then treated a case of arsenical poison: they were in Dansville: one was a child of 18 or 20 months: the other a boy of about ten years: I was called in the first instance in about 20 minutes after it was taken: in the other about ten hours: the symptoms of the latter were vomiting and purging: I knew he had taken poison: he had eaten a piece of cake on which arsenic had been placed to kill rats: I gave nitrated oxyde of iron; I gave it liberally and freely: the patient recovered: gave the other the same, and it recovered: I heard the symptoms in the case of Mrs. Wood described: I think it was a case of arsenical poison; cholera morbus has nearly the same symptoms: very similar to poison from corrosive sublimate: I should think many very judicious physicians might be deceived between cholera morbus and cases of poison: one dose of arsenic generally does up its business pretty effectually: the attending physicians gave it as their opinion that repeated doses had been given, and I cannot controvert it: a physician has very little opportunity to cure a patient, unless called soon after it is taken: the symptoms exhibited by Mrs. Wood might be caused by one dose of arsenic: if it is taken in a fluid, it may cause death from the primary symptoms (so called).

Cross-Ex.—I suppose arsenic in the body retards the generation of hydrogen gas: corrosive sublimate is not always solid: in a liquid form its effect is more instant than arsenic: corrosive sublimate is more of a corroding poison than arsenic: don't remember of any distinctive feature of the symptoms: think corrosive sublimate will kill in from six to twelve hours: Mrs. Wood's symptoms might have been produced by repeated doses of arsenic: think most practitioners would have come to the same conclusion that the attending physicians did.

Re-Direct.—I suppose 4½ grains of arsenic will produce death: on some persons perhaps less: have used arsenic many

tinctes as a medicine: if I had a case that I knew to be poison I should not prescribe the same remedies as for cholera morbus: I might sometimes give the same medicine, but should have confidence in nothing except the iron.

Cross-Ex.—Food mixed with the arsenic would retard its action: mucous greasy matter particularly.

Bleecker L. Hovey.—Reside in Dansville: am a physician: have been for 16 years: attended the Coroner's Inquest upon the body of Mrs. Wood: it was called before the body was exhumed: don't know that any medical testimony was taken until after the stomach was analyzed: I was subpoenaed by Coroner Caton to make the post mortem examination and dissection, and did so: after the viscera was taken from the body and sealed up, Coroner Caton said he should go before the jury and take the medical testimony: after going into the room that arrangement was altered: the jar was left at Niles' store I think.

Luen P. Kennedy.—First knew I. L. Wood in the fall of 1854, at Burns: he was with D. J. Wood: I knew D. H. Wood; he resided in Dansvill'e: think I was first acquainted with him in 1854: he was engaged as partner in the Boot and Shoe business with D. J. Wood; they did an extensive business; as large as any in that region; Halsey had \$500 in the concern; the firm was D. J. Wood & Brother; don't know that the funds were drawn out; D. J. Wood had \$2500 in the concern; I believe the firm owed D. J. Wood about \$4000 when I was appointed administrator; I think D. H. Wood had overdrawn his share of the profits; he was one of the administrators; Mrs. Wood was also associated during her life-time; I did not give much attention to the business until about July 1, 1856; Halsey Wood is not one of the administrators now; he was removed, by his request; he was insolvent, made an assignment to me as administrator for the benefit of the estate; think he owed the estate near \$3000; Halsey lived about 15 rods from D. J. Wood's; I used the barn at D. J. Wood's after his death to put my horse in when there; I went up on the loft; it was the 9th or 10th July, 1856; Isaac L. Wood lived in the house; the horse D. J. Wood used to drive was there; there was some hay there then; may have been some straw; I went up to throw down some hay; I was not present at the administrator's sale; have seen D. J. Wood and I. L. Wood together; they addressed each other as brother David, brother Isaac, brother Halsey; have seen Isaac and Rhoda Wood together after D. J. Wood's death; they seemed to be friendly; there was something said to me about being guardian of the children by Isaac L. Wood and Rhoda Wood; I have no recollection of being here when Isaac was appointed; did not see Mrs. Wood in her last illness; the land contracts referred to were assigned over to Mr. Davenport by D. J. Wood as collateral security; the estate owes Davenport about \$10 000; I fear there will be nothing left after paying this debt; D. J. Wood regarded this land contract as valuable; more than enough to pay the debt; Isaac L. Wood up to the death of Rhoda Wood was a peaceful and moral man so far as I

knew; I had heard him spoken of before I knew him I think; I was intimately acquainted with D. J. Wood; I understand Halsey Wood is in New Jersey; he left Dansville a year ago last summer, a short time after the assignment was made.

Cross-Ex.—I occupied the barn about a week; my business there related to the estate; that is the only way I have occupied the premises; think I put my horse there twice afterwards; I never put any arsenic there, or any medicine of any kind, poison or drug; the horse's head stands in the direction that the stairs run; in throwing down hay a person would generally be looking from the stairs; Halsey turned out property to satisfy the claim of the estate; this property was valued at \$3,300; it was owned by Wood & Brother; I can't tell now how much Halsey owed the estate; Halsey was a married man; kept house; the real estate of D. J. Wood has depreciated in value during the past two years; I did not know these contracts had been assigned to Davenport until after Mr. Wood's death; had known I. L. Wood several months previous to Mr. Wood's death; never heard any one say anything about his character; I live seven miles from Dansville.

Re-Direct.—I never saw a package in the barn; David J. and Isaac L. were frequently at Burns; I was not at Dansville very often.

A. J. Abbott.—At the time I. L. and Halsey were together in my office, I think I did not know the contracts had been assigned to Davenport; I remember when D. J. Wood died; I was there two or three times between his death and burial; think he was buried on the Monday following his death; saw I. L. Wood there; I saw him in the dining-room; think I saw him in the sitting-room; saw him at the desk in the dining-room; he was writing a portion of the time; D. J. Wood was a client of mine; I was his attorney in two of the suits with Lemen; was associated with Mr. Hubbard in another; saw Mr. Puffer at his house on several occasions; I was not Mr. Wood's general adviser; he had employed me on certain occasions; I have been one of the attorneys for the administrators since his death; Mr. Wilkinson did some business for Mr. Wood; Wilkinson is my law partner.

L. H. Puffer.—I went to Mr. Wood's house the evening he died; was there the next day; was out and in several times; was in the dining-room, parlor and sitting-room; think I saw Isaac L. Wood there; saw him in the dining-room and sitting-room; I saw him at the desk; he was writing some of the time; Mr. Wood died on Wednesday; was buried the following Sunday; think I was there every day; there were others there all the time until the burial; remember hearing of the sickness of Mrs. Wood; don't know that it was on the first day; saw I. L. Wood the day she was taken sick; saw him at the store in the forenoon; it was after breakfast; he went away in a buggy; told me he was going to Liberty; can't state what day Mrs. Wood was buried; I attended the funeral, think Isaac did also.

Cross-Ex.—The day after Mr. Wood's death I was there once before noon; think I went again once or twice before two

o'clock, I was after some one to go east for the family; I went down to the house immediately after dinner; went into the dining room; think I stayed about 15 minutes; think I saw Mrs. Bradley there in the forenoon; also Mrs. Littles; in going to Liberty we do not go near Burns; saw people in all the rooms.

Re Direct.—Burns is on the railroad; I suppose a person could go to Liberty by the way of Burns; Mrs. Littles was there to take care of the corpse and the house; I have known Isaac L. Wood since 1854; up to the time of Mrs. Wood's death I knew nothing against him; never saw him but once before he came there to live.

Re-Direct.—I have heard that he moved away in a hurry.

Mrs. Noah Smith—Mrs. Wood conversed with me during her last illness; also with Miss Brookfield and Dr. Endress; she talked with Isaac Friday night; she expressed a wish in relation to her children; I saw her the next morning after she returned from New Jersey she told me a number of times she thought she should not live long; she said on her death bed she wanted the children to be taken to her sister's Mrs. Day's; she told this to Miss Brookfield and Isaac Wood; I attended her funeral; it was on Monday afternoon; Isaac L. Wood was at the funeral; after her death the children were kept at the house nine days; they then started for New Jersey with Isaac Wood and Miss Brookfield; I saw them about the middle or last of July at the same house; Miss Brookfield came there with them; I. L. Wood was there; he had been there two or three weeks; do not know Mr. and Mrs. Day; I have seen Mr. Brookfield, Mrs. Wood's brother; he came up to see about the children; I. L. Wood partly made an arrangement with me to take them; he came and asked me what I would charge and on what condition I would take them for a short time; I was to have \$4 a week for their board and washing; I did not take them, because Isaac said Mr. Hequembourg had sent word he would take them; went down to the house afterwards to see Isaac about the children; he said very little at that time, but said he would let me know Monday morning; Isaac Wood said that his brother, being a Presbyterian, he presumed he would rather have the children under that influence; I am a member of the M. E. Church; Mr. I. L. Wood said that David had intended Frankie for the ministry; have been told Mrs. Day was a member of the M. E. Church; I attended Mrs. Wood during her illness; don't know that I noticed any bloody stools; I saw the Doctor examining as I passed through the kitchen; I carried them out twice.

Cross Ex.—Mrs. Wood was a pious woman, was a member of the Presbyterian church; was not present when she spoke of having the tea kettle examined; she spoke to Miss Brookfield to have the children taken to her sisters in New Jersey, and told Isaac to see that it was done; just before that the physicians told us that we might tell her that she was dying; Miss Brookfield I think told her; she had previously evinced a desire to live; on Wednesday in her agony she wished to depart; afterward she said she hoped the Lord would spare her yet to bring up her children.

Milton J. Puffer.—Reside in Dansville; lived there 15 years; am selling clothing; have been nearly two years; was formerly in a dry goods store; known Isaac L. Wood ever since he came to Dansville; was not intimately acquainted with him; up to the time of Mrs. Wood's death knew nothing against his character.

Augustin E. Tilden.—Was acquainted with David J. Wood; knew him at Burns and Dansville; I reside in Burns; I was well acquainted with him; knew his hand writing; have seen him write a great many times; (witness is shown the \$2650 note) should say it was his signature; resembles it; if there was no suspicion about it should say it was genuine.

Re-Direct.—I think it is some ten or twelve years since D. J. Wood removed to Dansville; have not seen him write as much as I did when he was in Burns; with what knowledge I have of this note I should say it was genuine; have settled with him once or twice during the past six years; he usually connected the *J* and *W* in his signature; don't know as he put a dot after his name; think he usually put a dot after such initials; (witness is shown a number of signatures) I do not find any here except where the *J* and *W* are connected; (considerable time was here spent in examining and comparing signatures) I have no decided opinion in regard to the genuineness of this note—never had.

Daniel Karns.—Reside in Burns; have lived there eight years; knew D. J. Wood; was some acquainted before that; I resided for five years before that on his land; was acquainted with his hand writing; (witness is shown the \$2650 note) I never saw him write his name just in that way; there is something of a general resemblance; I can't say as to its being his signature.

Cross Ex.—I should think it was not his hand-writing.

Washington Wood.—Reside in Burns; have lived there 20 years; knew D. J. Wood; was acquainted with his hand-writing ten years ago; should think this note was genuine.

Cross Ex.—I live 12 miles from Dansville; am a farmer; am not much accustomed to judging writing; during the past five years I have not seen Mr. Wood write.

William L. Brown.—Have lived in Burns 15 years; lived in Dansville 7 years; knew D. J. Wood; have seen him write; am acquainted with his hand-writing; should think this was a fair resemblance of his signature except the letter *J*; should say it was genuine if I had never heard anything against it.

Cross Ex.—I have some doubt about the note now.

A. E. Crittenden—Reside in Burns; have lived there about 40 years; knew D. J. Wood about 25 years; I am not much acquainted with his hand-writing of late years; have not seen him write many times during the past 20 years; think I am acquainted with his hand-writing.

Mr. Wood announced the conclusion of the evidence on the part of the prisoner.

Court adjourned to nine A. M., to morrow.

SECOND TUESDAY—MORNING SESSION.

Court convened at 9 o'clock, A. M. The room was crowded to excess, and about one half the audience was composed of ladies.

J. W. Brown was allowed to correct an error in his testimony. He says that Davenport told him there was \$1000 paid on the contract, instead of \$500 as he testified.

Mr. Wood then proceeded to sum up the case on the part of the prisoner. He remarked that he had hoped that the counsel for the prisoner would have an opportunity to sum up the case last. In some of the States this mode of procedure is provided for by law. As this arrangement has been denied us, we must submit without a murmur. He had not until the commencement of the trial expected the important duty of summing up would devolve upon him.

This is a very important case. It is one that involves the life of a human being. In no case in the history of our county has a person been convicted and executed for murder. In our large cities where trials for murder are not of so rare occurrence, they do not produce so much excitement, and there is not that feeling and prejudice which exists where such cases are rare.

He appealed to the jury that in the decision of this case they throw aside all prejudices and reports, and pass upon this case simply upon the merits of what has transpired in the court room. The crime with which the prisoner is charged is an atrocious one. It is on this account that this case has created so intense an excitement. The penalty for murder is capital punishment, and to this statute I yield my entire assent. He remarked that the law applies not only to Isaac L. Wood but to all. If a verdict is brought in founded upon rumors and unsubstantiated reports, the jury will be guilty of disobeying the injunction, "Thou shalt not kill." If any witness has attempted to exaggerate or color his testimony upon the stand, he is also guilty of disobeying the same command.

He further stated that the only matter which can come before the attention of the jury is, did the prisoner produce the death of Rhoda Wood by administering poison at the time charged in the indictment. He desired to impress upon the minds of the jury that their verdict should not be rendered against the prisoner if there is any reasonable doubt in regard to his connection with the offence. It is the duty of the people to establish the guilt of the prisoner, and he cannot be compelled to prove his innocence.

We were told that the motive to commit the offence charged was the desire of gain; that the prisoner at the bar attempted to poison a whole family for the purpose of inheriting an estate. No wonder that the waves of indignation and prejudice come rolling down here from Dansville, nearly sufficient to sweep over witnesses, counsel and spectators.

The first question for consideration is, has there been a murder committed? Was it proved that arsenic was administered to Rhoda Wood? It seems to me that I might admit that some one

administered arsenic, but rely upon the insufficiency of the evidence to connect the prisoner therewith. It is not so clear to my mind, however, that the commission of the offence has been proved. Rhoda Wood died surrounded by friends and neighbors; she was buried, and for two years no suspicion was created as far as there is any evidence. No suspicion seems to have existed until a package containing arsenic was found upon the premises. Mr. Wood argued at some length upon the failure of the prosecution to substantiate the *corpus delicti*. He would show by the facts which have appeared in evidence that this learned Coroner has not discharged his duty in a manner to establish any certainty whatever. It has been testified that poison was found in the stomach when analyzed, but nothing has been adduced to show that it came there before death. He followed the course of the jar from the time it left the store of Mr. Niles until its arrival in Buffalo. In relation to the preservative powers of arsenic upon dead bodies, Mr. Wood remarked that it also appeared that some kinds of soil possessed the same properties. No one can say but that every body that is buried in that cemetery remains in the same state of preservation. He would not controvert the fact that Prof. Hadley found arsenic in the stomach brought him by Coroner Caton, but the prosecution have not established clearly that this poison was administered to Mrs. Wood during her life-time.

Mr. Wood then assumed that the offence charged had been committed, and reviewed that portion of the evidence which seems to fasten the guilt upon the prisoner. He argued at some length the question of motive, believing that the single desire of gain insufficient to induce the commission of such a crime. The evidence shows that the prisoner at the bar up to the time of Rhoda Wood's death was a man of fair and unsullied reputation. He alluded to the fact that Isaac was a member of the family of his brother D. J. Wood, and of the kind and brotherly relation existing between them.

To arrive at the conclusion that the prisoner is guilty of this offence, it must be believed that he was transformed in a day from a kind and affectionate brother-in-law to a finished fiend; an assumption without a parallel. Mr. Wood stated that the District Attorney in his opening said that they would prove that D. J. Wood's body was hardly cold in death before Isaac L. Wood was busily engaged in looking over the papers in the desk of deceased; he, however, held that the evidence was insufficient to sustain the statement. If Isaac L. Wood had meditated any design upon the books and papers of his deceased brother, he would not have carried it into effect at that time and place, when people were continually passing in and out. The prosecution will endeavor to show that he feigned sickness in order to prevent suspicion from attaching itself to him, but they have no evidence to sustain this position. He regarded it impossible that the attention bestowed upon the dying woman by the prisoner at the bar could be construed into evidence of guilt. He thought, too, the evidence adduced failed to sustain the po-

sition of the District Attorney, that the prisoner was guilty of violating the rules of propriety and decency in the sick room.

Mr. Wood did not regard it strange that Isaac L. Wood procured his own appointment as guardian of the children. The mother upon her dying bed requested him to be honest with her children, and gave direction in regard to their disposition. They are not now with the surviving sister as the dying woman requested, but it appears in evidence this is no fault of I. L. Wood. In all his action in relation to the children; Mr. Wood claimed that the prisoner had acted in an honest and commendable manner.

SECOND TUESDAY—AFTERNOON.

During the intermission a continual procession of people marched toward the Court House, and at one o'clock the room was literally packed with a dense mass of swarming humanity. Hundreds went away unable to gain admission.

Mr. Wood resumed his remarks by referring to the evidence adduced by the prosecution to prove a certain line of conduct in the prisoner after the death of Mrs. Wood. He claimed that all the evidence adduced but shows the conduct of the prisoner to be simply that of a friend and relative.

Mr. Wood then alluded to the alleged forgeries of the prisoner. He had not expected that question would be brought forward under this indictment.

The Court, however, decided that it was material testimony, and the defence must meet it. He spoke at some length on this subject, and claimed that the evidence adduced did not substantiate the charge of forgery. The proof in relation to the alteration of the cash book of D. J. Wood by no means inculpates the prisoner, for others aside from him had access to the books. The evidence upon these points at least leaves doubt in relation thereto.

Mr. Wood regarded it as a strong point in the case that the prisoner never had in his possession, nor is there any proof that he ever purchased or had under his control the means of poisoning. He held that the evidence does not show that any poison was administered at the breakfast table or in any manner on the morning of the day that Mrs. Wood was taken sick.

Mr. Wood alluded to the testimony of Mrs. McWhorter in relation to the prisoner mixing powders with his knife and spoon. He admitted that all this might have transpired as stated by the witness. I. L. Wood had directions to mix the powders for the children in a teaspoon with sweetened water. He did so and they recovered immediately. There could not, he thought the jury would readily admit, have been any poison in what he gave them.

He now announced that he had arrived at the cause of this great commotion, the finding of the package containing arsenic in the barn.

The first question that arises is, how did it come there? If the prisoner was guilty, and had had arsenic about him, this

would have been the last place he would ever have sought to hide it. There is no evidence to connect the prisoner with that package, and how or when it came there it is not for the defence to prove.

He thought the prosecution had not shown but that the poison might have been administered by other hands than the prisoner's. Others were there and had as good if not a more favorable opportunity than he. Miss Brookfield who attended Mrs. Wood during her entire illness, and sat herself at the suspected breakfast table, was not called to the witnessess' stand. Had there been any damning story to tell against this man, she could have told it.

Mr. Wood cited one or two cases showing the necessity of the strictest examination of circumstantial evidence, and concluded his remarks at 20 minutes after three o'clock, having spoken between four and five hours. We cannot of course give so extended a speech at length, but we believe the above embodies its leading features. His remarks were listened to throughout with intense interest by an audience at least twice as large as ever ought to be admitted to a room of that size.

He was followed by Mr. Peck, to whom had been assigned the duty of summing up the case on the part of the people. He remarked that he never before endeavored to address a jury with such conflicting emotions of mind. He made a few general remarks in relation to crime in general, and its late alarming and horrible increase. He reviewed the remarks of the counsel for the defence, and showed wherein he regarded his argument as fallacious and unfounded. He spoke at considerable length upon the subject of circumstantial evidence, quoting from authorities to prove its justice and reliability.

He had supposed that the poison of Rhoda Wood would be a conceded fact, but the counsel for the defence had entered into an elaborate argument to disprove it. The learned chemist has proved conclusively that he found arsenic in the stomach bro't him by Coroner Caton. That this was the stomach of Mrs. Wood, the care taken by Coroner Caton, as he testified, abundantly proves.

Mr. Peck then gave a complete history of the facts in the case, answering in detail the arguments adduced by the defence. He then spent some time in showing that the prisoner had frequent and favorable opportunities for the commission of this crime, and gave a history of the state of pecuniary affairs which form the motive. Mr. P. enlarged and commented upon these points in his usual eloquent and convincing manner, until about six o'clock, at which time the Court adjourned until 9 o'clock A. M. to-morrow.

SECOND WEDNESDAY—MORNING.

At an early hour this morning crowds of people were seen wending their way to the Court House, and at nine o'clock the seats, chairs and tables were all taken. There were then present about 150 ladies, and more coming.

Mr. Peck resumed his remarks by commenting upon the appearance and conduct of the prisoner, during the sickness and death of Mrs. Wood. This exhibition of brotherly love was nothing new in the history of crime. It is for us to examine whether it is the exuberance of affection or the sullenness of the assassin. He then took up the circumstance of Mrs. Smith's preparing and administering beef tea to the sick woman on Tuesday morning, showing how an opportunity was then afforded the prisoner to commit the offence. He followed up other matters which the evidence shows transpired: blending with it the conduct of the prisoner.

He then took up the fact of the discovery of the package containing arsenic in the barn. The house and barn were occupied by the prisoner after the death of D. J. Wood and his wife, and it is not until after their death that we hear of the prisoner's wife among the *dramatis personæ*. That the package was put there by somebody we are bound to assume, and what innocent purpose could any one have for such articles as it contained? Who put it there and when was it done? is a most apt inquiry. The evidence of Mr. Hequembourg discloses the statement of the prisoner that his brother was a very careful man, and never had any poison about the premises. It could not, therefore, have been put there by D. J. Wood. The articles were done up in a notice of an auction sale in New York, a couple of pieces of newspaper printed in New Jersey, a printed notice of administrator's sale of the estate of D. J. Wood, etc. This proves that the package was put there after the death of D. J. Wood, and that it was done by somebody who had something to do with the affairs of the estate. Enclosed in this package is a parcel of a mixture of magnesia and arsenic, done up in a paper precisely the size, shape and color of the one which Mrs. McWhorter saw Isaac take out of his vest pocket. Mr. Peck spoke at considerable length upon this subject, arguing that the package could have found its way to the place where it was found by no other hands than those of the prisoner at the bar.

Judge VanDerlip here read, by request of Mr. Peck a number of authorities relating to the matter at issue, after which the latter resumed his remarks. He concluded his review of the testimony and grouped together the facts elicited in such a manner as to prove that the crime charged in the indictment was perpetrated, and that the prisoner was the sole author of it. In conclusion he asked the jury to follow the history of the accused from the time he passed the forged note in New York, to the time he left Brewer on his return to Dansville from Illinois, and true deliverance make between the people of the State of New York and the prisoner at the bar.

Mr. Peck's speech was an eloquent production, and adds much to the high reputation of its talented author.

Judge Johnson then proceeded to deliver his charge to the jury. He instructed them that they had a duty to perform towards the prisoner and the people. He reviewed in a clear, concise and able manner the history of the case, and informed the

jury in what order their investigations should be made. The Judge concluded his charge at 1 o'clock P. M., at which time the Court took a recess of one hour:

SECOND WEDNESDAY—AFTERNOON.

Court convened at two o'clock P. M. Mr. Hubbard called the attention of the Court to some points of law bearing upon the case at issue. Mr. Hendee remarked that the object of showing motive, is to prevent the jury from coming to the conclusion that others who had an opportunity might have administered the poison. Mr. Wood asked the Court to charge that the inference deduced from Mrs. McWhorter's testimony cannot be taken into consideration which request was denied.

Two constables were then sworn to take charge of the jury, and they retired to deliberate upon their verdict.

After being out two hours the jury returned to court, when the following proceedings took place :

Clerk—Gentlemen of the jury, have you agreed upon your verdict?

Foreman—We have not.

After a little explanation by the court, they were sent back for further deliberation. Court remained in session until six o'clock, at which time an adjournment was had until nine, unless the bell should ring sooner.

EVENING SESSION.

The Court convened at 9 P. M., and the jury were called in.

Clerk—Gentlemen of the jury, have you agreed upon your verdict?

Foreman—We have not agreed,

Judge—Are you likely to agree?

Foreman—It is the opinion of the jury that we shall not agree.

The Court then discharged the jury from further attendance at this Court.

It is reported the jury stood eight for conviction and four for acquittal.

SECOND TRIAL OF ISAAC L. WOOD.

The case of the People vs. Isaac L. Wood was called at Geneseo, May 3d, 1858, at half past two o'clock P. M. Major Hendee, Dist. Att'y, was assisted in the prosecution as on the former trial, by Messrs. Van Derlip and Peck. J. B. Skinner, of Wyoming, appeared in connection with Messrs. Wood and Bulkley, for the defence. Mr. Hubbard was absent on account of sickness in his family. Judge Johnson presided by request of Judge Smith who had been appointed to hold this term.

The afternoon session of Monday, Tuesday, and a portion of Wednesday forenoon, were spent in empanneling a jury, which was obtained after the regular panel and a draft of seventy-five talesmen had been nearly exhausted. The following are the names of the jurors retained:—

Miles H. Wakeman, Nunda; John P. Jones, Springwater; Franklin Stevens, Avon; Garret V. S. Grant, York; Geo. N. Russell, York; Sylvanus Rice, York; Seth Cole, Lima; David H. King, Lima; Adoniram Sterling, Lima; Dugal E. Cameron, Caledonia; Wilson W. Hamilton, Lima; Senator Blakeslee, York.

Mr. Peck announced that since the first four jurors were drawn they had been reliably informed that one of them had had a long interview with the prisoner in the jail, and he deemed it justice that the juror be excluded. After some discussion between the counsel, Mr. Wakeman, the juror referred to, was called upon the stand. He testified that he had a conversation with Wood in the jail, but nothing was said upon the subject of the trial, or the accusation against him; he had a business acquaintance with the prisoner. Mr. Wakeman then resumed his seat as a juror.

Soon after ten o'clock, Mr. Hendee commenced his opening of the case. After a few general remarks upon the subject of crime, he called the attention of the jury to a number of extracts from the books bearing upon the case; he then detailed some of the circumstances attending the death of Mr. and Mrs. D. J. Wood, and many features of the case as they are expected to be proved by the prosecution. Before concluding his remarks the Court took a recess of one hour.

WEDNESDAY—AFTERNOON SESSION.

Mr. Hendee concluded his remarks by reviewing the history of the case thus far, exhorting the jury to examine carefully the evidence, and render a verdict in accordance therewith.

EVIDENCE FOR THE PEOPLE.

E. W. Patchin, M. D.—The testimony of this witness was the same as upon the first trial. On his cross-examination the

Doctor testified that after the death of Mrs. Wood, Halsey Wood came to him and Dr. Endress, to consult about the propriety of a post-mortem examination; he (the Dr.) replied to him that he did not think it would throw any additional light upon the matter; they were not prepared to make a chemical analysis, and were as well satisfied what was the cause of her death as they could be after an examination of the body. The Doctor said he had no suspicion of no one; thought it was wholly accidental; advised that if an examination was to be made, that it should be done under the direction of the Coroner. Halsey told them that if he concluded to have it done he would let them know.

S. L. Endress, M. D.—The testimony of Dr. Endress was principally the same as upon the former trial, corroborating that of Dr. Patchin. Before concluding his testimony the Court adjourned to 8 o'clock A. M., to-morrow.

THURSDAY—MORNING SESSION.

Dr. Endress was re-called this morning and testified that he came to the conclusion there was something wrong on his first visit to the house. It is his opinion now that her death was caused by arsenic, and thinks from the symptoms it was given in repeated doses.

On the cross-examination the defence endeavored to show that the prisoner was sick at the time Mrs. Wood was taken. Dr. Endress said that about that time he gave him some blue pills by request, but should not have noticed that he was sick. The prisoner told the Doctor that he vomited that day while on the road to Wayland.

The Doctor corroborated the statement that Halsey Wood came to them before the burial of Mrs. Wood to inquire about the propriety of a post-mortem examination. Dr. Patchin told him that on account of the suspicions that Mrs. Wood had been poisoned, he thought a Coroner's inquest should be held and a chemical analysis of the contents of their stomachs be made.—The Doctor stated that neither he or Patchin told Halsey that they thought there was no necessity of a post-mortem examination.

Z. H. Blake, M. D.—The testimony of this witness was not as lengthy as on the former trial, but about the same thing in substance.

THURSDAY—AFTERNOON SESSION.

After the conclusion of Dr. Blake's testimony, Dr. Reynale was called, who stated that he had heard the statements of the former physicians relative to the symptoms and treatment of Mrs. Wood; and gave it as his opinion that she died by arsenical poison. He was present at the disinterment of the body and described its appearance; Dr. R. testified that he attended her husband during his last illness; he died something like twenty days or more before the wife. The Doctor then described the distinctive features in which cholera morbus differs from a case of poisoning by arsenic.

The four physicians called thus far were all cross-examined very closely and at considerable length, both upon the circumstances attending the sickness and death, and upon disease and poison generally.

Prof. Geo. Hadley, the chemist, was then called, who testified to making an analysis of the contents of the stomach and the discovery of arsenic therein. On his cross-examination Prof. Hadley testified that chemists might sometimes be mistaken in saying that they had found arsenic, but good chemists never. The defence called out a very minute description of the process of analyzing the matter contained in the stomach, occupying considerable time.

P. T. Caton, Coroner — Testified to holding the inquest, and conveying the stomach to Prof. Hadley. After the conclusion of his testimony the Court adjourned to 8 A. M., to-morrow.

FRIDAY—MORNING SESSION.

Shepard Jones, Undertaker.—(Same as upon former trial.)

Jos. J. Welch.—Testifies to finding the package of arsenic in the barn, as upon the former trial.

Rev. C. H. Hersh.—(Testimony substantially the same as upon the first trial.)

Mrs Pamelia Smith.—Testifies that after Mrs. Wood's death, Isaac L. occupied the premises. Mrs. Smith went into the cellar once during her illness and found it dry.

Mrs. Margaret Goodwin, late Miss Lynch,—This witness was examined relative to matters which transpired in the family on the day Mrs. Wood was taken sick and during her illness, which she related the same as upon the first trial.

FRIDAY—AFTERNOON SESSION.

Mrs. Goodwin was cross-examined very closely but no new facts of importance were elicited.

Miss H. Amelia Brookfield.—Reside in New Jersey; knew Mrs. Rhoda Wood for some length of time; was at her house when she died; knew her before she came to this State; am a distant relation; she was taken sick June 5, 1855; at that time I. L. and Mrs. Wood, the two children, hired girl and myself lived in the house; don't recollect what time we took breakfast that morning; it was usually about eight; don't remember what we had for breakfast; did not help prepare it; I had returned from New Jersey with her on the 18th of May, and had been there from that time; they used coffee in the family; I did not use it; seldom ate meat in the morning; knew of no arsenic or other poison about the premises; did not know the cause of her illness; Mrs. W. and myself left the house after breakfast with Mrs. Betts; the family all took breakfast there that morning; we left between nine and ten; Mrs. Betts had called that morning; Mrs. Betts and Mrs. Wood left together; I was detained a few moments writing a letter; next saw Mrs. Wood at Halsey Wood's store; I heard Mrs. Wood complain slightly before leaving home; said she felt strangely, faint and sick; she complained

again about an hour after she got up town, it was at Mrs. Hedges; said she was sick at her stomach; did not vomit then, but tried to; she appeared sick and faint, and had an intense burning in her stomach; she took warm water and something else, sugar was brought; I don't know what else; she complained of intense pain and heat; drank warm water considerable; we remained there an hour or an hour and a half; she laid down all the while after she was taken sick, on account of fainting; she did not vomit there but made great efforts to do so; she walked home with my assistance; her strength was somewhat reduced, she took my arm, and the latter part of the way I helped her more than that; after we got there she laid down immediately and vomited; Mrs. Smith came there in an hour or more; we reached home at twelve; I sent for Mrs. Smith; Mrs. Wood vomited at intervals, and complained same as before; these intervals were five or ten minutes, or longer at times; she expressed a desire to drink very frequently; she did not get off the bed before Mrs. Smith came; she did not leave her bed after that; I gave her nothing but water before Mrs. Smith came; think she complained of her head; the children were on the lounge with Margaret when we came in; they were sick and vomiting; I assisted them a portion of the time; they complained of thirst; don't know of anything else; symptoms appeared the same as those of Mrs. Wool; I remained there till the 20th of June; Mrs. Wood died on the 10th; I assisted in taking care of her and the children; I saw I. L. Wood between four and five that afternoon in the dining-room; he came in from the back of the house; I told him that Mrs. Wood and the children were ill, and wished him to go for Dr. Endress; I told him they were vomiting without being asked; he said he had been ill, and was obliged to leave his buggy by the roadside and vomit, and that it was very strange; I then asked him to go for the doctor, don't remember where he said he was going; don't remember that he said anything more at that time; I had seen I. L. Wood almost every day; he appeared to be in usual health at that time; he returned in about fifteen minutes; and I saw him in Mrs. Wood's room; I was there when he came in; he said her illness was strange; from that time till her death he was there a considerable portion of the time; he spoke with me about her illness quite frequently; he asked several times if I thought she would recover; he said it must be caused by something they had eaten; I told him she was very ill, and I did not know as she would recover; heard it remarked that it was very strange perhaps daily; he would frequently inquire how she was, and say the cause of her illness was very strange; my time was occupied with Mrs. Wool and the children; the children were in an adjoining room; in the bed room near the kitchen; I was with Mrs. Wood most of the time; I. L. Wood appeared excited and interested in their recovery; he was restless and walked around; frequently came to the door and inquired how she was; the children were recovering and were able to be up at the time Mrs. Wood was buried; Mrs. Wood was unable to drink without assistance from the first; there was no abatement of her

thirst; she complained of cramp in the whole body and distress in her head; complained of a burning in her throat; don't recollect that she said anything about the cause of her illness; did not ask her; she said she did not know; she had turns of vomiting throughout her illness; I remember of sending for Mrs. Smith to come into the bed-room Wednesday; Mrs. Wood had become very restless and was suffering with cramps; remember of some beef tea being prepared; she took it first on Thursday or Friday; she had spells of vomiting after that; I think she took beef tea and whey for nourishment; on two or three occasions she vomited within twenty minutes after taking it; I was present when she died; I. L. Wood was there; he appeared very much affected; he alluded to her as "Sister Rhoda."

Cross-ex.—I commenced living with Mrs. Wood the 5th of September, 1854, and went with Mr. and Mrs. D. J. Wood and the children to New Jersey, May 8, 1855; she went there on a visit; I returned with her on the 16th of May; she returned on account of her husband's death; she had been quite well while I was with her; never saw a physician there; after she had heard of her husband's death she was not in her usual health; she said nothing to me of her expected death in New Jersey, and made no preparation for it; I never stated that Mrs. Wood said so to me; I heard that Mrs. Day said that Mrs. Wood had made arrangements with her to take the children; a few days after she returned to Dansville, she said she had no desire to live, and did not think she would live long; she wanted the children bro't up in our family; she spoke of this every day or two; her first wish was that her children should be brought up with my sister and myself, and that they should accompany us to the Presbyterian church and attend Sabbath School; Mr. and Mrs. Wood were members of the Presbyterian Church; she thought she should not live long; she wished the children to board with her sister, and wanted me to attend to their education; her sister resided in Morristown, N. J.; I think her sister is a Methodist Church member; I. L. Wood lived in the family when I first went there; the relations existing between him and the family were friendly; they addressed each other as "Brother Isaac" "Brother Halsey," and "Sister Rhoda;" never knew of any disagreement or unkind words between them; there was no other men living at the house after we returned except I. L. Wood until after her death; the children occupied the room in which they were ill as a sleeping room; I occupied a room with Mrs. Wood; think we took breakfast the morning she was taken ill about eight o'clock; think we had potatoes, veal and coffee; Margaret took breakfast with us; don't know whether I partook of the veal; did not take any coffee; can't remember who partook of the veal; don't know as Mrs. Wood was out before breakfast; I always remained in my room until the bell rung; don't recollect anything unusual that morning; it was usual for all except myself to drink coffee; they usually ate meat; Isaac Wood carved after his brother's decease; don't remember that he carved that morning particularly; can't tell what we had for

ver the night before; think Isaac left that morning immediately after worship; did not see him go away; did not see him return till he came into the house; I told him that cousin Rhoda and the children were ill and wished him to go for Dr. Endress; he said it was very strange and that he had been ill; he left immediately for the doctor; don't remember which came back first; when Isaac came into the bed-room he spoke to Mrs. Wood; don't remember what he said; Mrs. Smith and myself took charge of her medicines mostly; they were kept in her room on the bureau; don't recollect who took charge of the children's medicine; they were kept in the dining-room; I saw Dr. Endress give them some; Mrs. Smith and myself gave her the medicines; I think the physicians gave her some; I gave her drinks mostly; don't know but I. L. Wood gave her some; I was with her most of the time; I sat at the head of her bed; I was with her more than any one else; stayed with her every night; she conversed with me; she spoke once of the cause of her illness, she thought she should die; said so as soon as she was taken; I. L. Wood appeared to be attentive to her wants; on two occasions I took rest, and with those exceptions I was out only occasionally five to fifteen minutes at a time; when I was out I left some one else there; think I saw I. L. Wood bring in water on different occasions; he brought water in a pitcher and ice in a bowl; she drank from a tumbler which stood on the stand, don't know that any other person drank water from the pitcher; don't know how long the children continued to vomit; don't know as they were worse after the first day.

Re-Direct—We left N. J., on the 15th or 17th, and arrived on a Friday evening, don't know as she talked about her not living long in presence of I. L. Wood; I think she did; she took the death of her husband very hard; the day she was taken ill she said she thought she should not recover, and that she had the same disease that Mr. Wood died with; she said nothing else in that connection; she said she did not know what was the cause of her illness; she said it was very singular, the cause of her illness and Mr. Wood's death; if she should recover she should always think the disease was the same that he died with; she said she did not know the cause, but it was very strange; she asked the physicians what ailed her; on Saturday when she appeared better, she said she did not know but that the Lord w'd spare her yet to bring up her little children; I was not sick at all; I. L. did not complain to me of being sick after the first interview, or to any one in my presence; I think I. L. Wood gave her drink and medicine, but am not positive; it was necessary to raise her head when giving her medicine; there were two kinds of liquid medicine; think they were light colored or white; the tincture of cinnamon was dark; don't think the room was darkened; the window is under a verandah which makes it a dark room; I remember of I. L. Wood being in the room when I returned; the children took none of Mrs. Wood's medicine; don't remember of giving her chalk and morphine; when she spoke of my taking the children it was always suggested by the

death of her husband; she was an exemplary woman in regard to christianity and piety.

Cross ex.—She spoke of the probabilities of her death to both me and I. L. Wood; alluding to the death of her husband, she said she had no desire to live; don't know that he made any reply; don't remember that he said she had better go to N. J.; my recollection is that some conversation followed, but don't remember what it was; think I. L. Wood gave her medicine more than once when I sat at the head of the bed: I sometimes asked different ones to hand her medicine; don't remember of asking him; think he gave her two kinds of medicine; I was examined on the Coroner's inquest think I can recall dates now better than I could then; don't remember what I stated before the Coroner; think Mr. Wood gave her both medicine and drink; he had an opportunity to do so; he woul'd ask her how she was and she would reply; she addressed him as "Brother Isaac."

Edward Niles.—Testifies to receiving the package referred to and handing it over to the Coroner. He took nothing from it, nor added nothing to it except the outside wrapper. He also corroborated the former testimony relative to sealing up the stomach and viscera of Mrs. Wood.

Prof. Hadley.—Testifies to receiving a package from Coroner Caton. Witness is shown the package and recognizes it. He took from each of the three parcels a small quantity and analyzed them. The parcel labeled "Arsenic," in print, is pure white arsenic; the one labeled "Arsenic Poison," in writing, contains cream tartar; and the parcel without label contains a mixture of magnesia and white arsenic. The Prof. says that the authorities state that the mixture will retard the action of arsenic.

Court adjourned till eight o'clock A. M. to-morrow

SATURDAY—MORNING SESSION.

Prof. Hadley was re-called this morning and testified that magnesia disguises arsenic very much. He was cross-examined relative to the contents of the package, and stated that the mixture contained a much larger amount of magnesia than arsenic in bulk. He also described minutely the process of analyzing the contents of each parcel.

Chas. Rothe.—Resided in Dansville in summer of 1855; lives there now; keeps a meat market, knew D. J. Wood and family; recollect hearing of Mrs. Wood's sickness and death, my attention was called to the reported cause of her sickness at that time; believe I furnished the family with some veal the morning she was taken; it was killed the night before; there might have been some other pieces in the market; their piece was very good and fresh; don't recollect distinctly who came for it; I usually furnished their meat; I sold out all of this veal to different families; heard of no other persons being taken sick in the way this family was; I usually sold meat to Mrs. Wilson.

Cross exam.—Mr. Howarth kept a meat market on Ossian street; about the same distance from Mrs. Wood's; I had

no assistance the morning that I had that calf; Mrs. Wood wanted a piece suitable for a pot-pie; she sent for it; don't know as I can swear that this was the morning she was taken sick; don't know but she may have got veal elsewhere; it is not very often sold in the streets of Dansville.

Re-Direct — I understood two or three days after she was taken that her sickness was caused by eating veal; Mrs. Smith spoke to me about it; I believe she told me the day Mrs. Wood was taken, and I remember the veal that I had in was good and fresh.

Mrs. Pamelin Smith — Examined relative to the sickness and death of Mrs. Wood, etc., as upon the former trial.

Mrs. Pancha Hedges — This witness gave the same testimony as upon the first trial.

SATURDAY—AFTERNOON SESSION.

Henry R. Simmons.—Reside in Bristol; am a farmer; lived there 39 years; know defendant; have known him since 1854; in May, 1855 I received letters from him; received one bearing date May 15, 1855 and another May 24, 1855; I saw defendant the first of September following; he came to my house; I then had a conversation with him concerning D. J. Wood, wife and children; he spoke of his brother's death; also of his wife's death and the illness of the children; I inquired what was the matter with them; said he did not know; said they were taken with vomiting and were in a great deal of pain; he told me the number of days they lived after they were taken sick; I remarked to him that I thought they had eaten some poison or other; he said he thought they had been poisoned himself; I asked him what they had eaten previous to their being sick; he said they had veal, as I understood, for dinner that day; that he and the hired girl did not eat any of the veal and were not sick; Mrs. Wood and the children ate veal and were sick; these were the reasons he gave why he thought they were poisoned; I asked him what sort of a girl his brother had at work for him, if she was an old country girl; he said she was, but was a very nice sort of a girl; I asked him if he had any reason to suspect her of having poisoned them; he said he had not; she appeared like a very nice girl, and his brother and his wife thought a great deal of her; I think he repeated that their sickness was very strange, or something to that effect; he said he thought at the time they were poisoned, and spoke to the doctors about it, and that they said it was no such thing; their symptoms were not like poison at all, and they would not hear anything to it; I have an impression he said something about a post mortem examination, but can't say what; I am very sure he said the children recovered.

Cross-Ex. — This conversation was in Sep. 1855; I stated it once last winter or winter before last to Mr. Barnard, brother to Benton Barnard; I did not understand from him that they all died at the same time; don't recollect his saying anything about his going away that day she was taken sick; asked him if the

doctors who attended them were good ones, and he said they were as good as there were in the place: did not say that any one had been suspected of administering poison: I should infer from what he said there had not been: I think I give very near the words that were used: think I first stated the conversation last winter during the former trial, to Mr. Snyder, of Springwater, who subpoenaed me first about the letters.

Mrs. Mary Bunnell.—Was present at the house of Mrs. Rhoda Wood on the first day of her last illness, beteen five and six o'clock: did not see her: was not in the bed-room: Dr. Endress, the prisoner, Mrs. Halsey Wood and Mrs. Prusin were in the dining-room: the Doctor was putting medicines in powders in small pieces of white paper: I heard him give directions about the medicines to the defendant: he told him to be very particular not to mix Mrs. Wood's powders with those for the children, and told him they had better mark them so there should be no mistake: defendant said he would take charge of the powders himself, and give them himself; they didn't like to take medicine from anybody but him: I saw him take one parcel of powders for the children, and go out through the door leading to the kitchen; I think the other medicines remained on the table while I was there: was there about half an hour: was not there at any other time during her sickness.

Cross-Ex.—I never was in the house before or since: I think defendant came back while I was there.

Mrs. Ella McWhorter.—(Same as upon former trial.) On her cross-examination the witness stated that she related the circumstances to Mrs. Howarth on her return home.

Mrs. Cordelia T. Wilson.—(Same as upon the first trial.)

James Brewer.—Testified to arresting the prisoner and related the circumstances as upon the former trial.

Mrs. Goodwin was re-called and testified that she used cream in her coffee: was not sick at the time the rest were and did not vomit any. On a cross-examination she said she did not remember whether the veal was all eaten that morning, or that a veal pot-pie was ever made there.

Joseph Welch was re-called and stated that the ends of cob-webs over the paper were attached to the roof-boards, and looked as though left there by a spider.

Chauncy Scouten.—Reside in Dansville; in summer of 1855 resided in second house south of D. J. Wood's on Washington street: now reside next to that house: recollect the death of D. J. and Rhoda Wood: defendant lived in that house next after Mrs. Wood and occupied it with his family: he kept a horse and occupied the barn on same premises: I worked for defendant that summer after he moved in there moving a fence and building a grape vine arbor on East side of the house: it was sometime during that summer I had occasion to use some nails; the fence and arbor were on D. J. Wood's premises: I got nails out of a nail box, found box in the wood-house on those premises, on left hand side of small door of wood-house as you go in on North side; there is a little piece of floor in the wood-house;

box was sitting up: don't recollect what on: I found beside nails in the box a paper, a brown paper: the first one had about one fourth of a pound of something white in it: the second one about the size of the paper here, with arsenic written on it: and then another paper with I don't know what in it: the two small papers were lying in the large paper of white powder: the box had a partition in it and a strap for a handle: I didn't examine the last parcel: I left the parcels there: didn't handle them at all: I had worked for D. J. Wood about a month before his death: had occasion to use the same box then: found it in the wood-house; none of these parcels were in the box then.

Cross-ex.—I was not sworn on the other trial; defendant was around on the premises while I was at work; he didn't tell me where I could get nails; the box was portable; nails were in both sides, and paper lay right on top: box was in plain sight; the paper was open: string around it not tied up: I think the next small paper was brown: had arsenic written on it: that was tied with a string: I did not disturb the lower paper, nor touch them at that time: I did touch them the time I saw them in the barn.

The Court here adjourned till 9 A. M. on Monday.

SECOND MONDAY—MORNING SESSION.

Court convened at 9 A. M. The entire morning session was occupied by a discussion between counsel, relative to the propriety of admitting evidence tending to show the poisoning of D. J. Wood. The Judge stated that upon the former trial he had some doubt upon this subject, but since then he had bestowed considerable attention to it, and had arrived at the conclusion that it is competent evidence. Defence excepted to the ruling. Exceptions noted.

Court then took a recess of one hour.

SECOND MONDAY—MORNING SESSION.

Court convened at half past one, and the examination of witnesses was resumed.

Abram Lozier.—Reside in Dansville: been there 11 years; knew I. L. Wood when he lived there; remember of his being there under arrest; had a conversation with him concerning the charge, at the National Hotel, in a room where he was kept; after some conversation about his being west, I told him that the suspicion of the people seemed to rest upon him as the man who administered the poison: told him that in order to clear himself he would have to raise some hypothesis to show whereby some one else could have committed it; he said he knew of no one, for he knew nothing of the matter: he then said that he was taken sick himself the same day that sister Rhoda was taken, while on the road to Wayland, and when he got to the depot he had to go to bed: I then said he had better get the tavern keeper as a witness to prove the fact before the court; he replied that he did not remember whether it was at Wayland or Springwater where he went to bed: I asked him if

the hired girl and Mrs. Wood had had any difficulty; he said not that he ever knew of; they appeared to agree very well; upon reflection he said he believed he had heard sister Rhoda say the girl had rather too high notions; he said they had eaten veal that morning and that he had eaten with them; he thought that was what made him sick.

Cross-ex.—Was not sworn on former trial: there was considerable excitement in Dansville the day Wood was brought there; heard one man speak of relieving the court and jury the trouble of trying the case; Sidney Sweet, Mr. White and myself were in the room during this conversation; prisoner had irons on: a man by the name of Brewer brought him there; I stated the subject of this interview to my brothers in the shop the same day; presume it was not generally known at the time of the former trial; told Judge VanDerlip of it a few days after; he did not consider it material evidence; had said before that I thought the jury ought to have convicted him; this interview took place about an hour or more after his arrival; went to see him and talk with him; had known him and talked with him before; he told me he was innocent of the charge.

Nelson S. Hibbler.—(Same as upon first trial.)

Geo. W. Shepherd, M. D.—Reside in Dansville; lived there 12 years; am a physician; have practised 15 years; knew D. J. Wood; he lived in Dansville; he died May 16, 1855; I attended him during his last illness; was first called Monday, May 14, about $\frac{1}{2}$ past six in the evening; Isaac L. Wood came for me; had not previously attended him; he said his brother David wished me to come and see him: I asked if he was very sick; he said he was not very sick or not very well, and requested me to go down immediately; saw D. J. Wood about seven o'clock; I found him sitting at a stand, dressed; he was drinking tea and eating toast; he said he had been quite unwell and was feeling very badly; said he was first taken on Saturday night, and had taken some pills; they did not operate in the morning freely; said there was a tract agent called upon him that morning, and he had walked around with him considerable; he went to church in the morning, and at noon ate a very large piece of rich mince pie; he went to church in the afternoon and in the evening; neglected to put his overcoat on and thought he had taken some cold; just before he retired that night he said he had eaten a bowl of pudding and milk: about 2 o'clock at night he woke up in great distress, was very restless and did not know what was the matter of him; he got up and had a very large evacuation from the bowels; was sick at the stomach and vomited freely; felt somewhat better in the morning and during the day, though not well; said he had been out in the garden and about the house; he then placed his hands upon his bowels and said, "Doctor I feel very badly;" I told him he had better go to bed; he got up and Isaac Wood assisted him to the bed room; when he got in there he commenced vomiting severely; complained of being very cold and faint; I directed him to get his feet into warm water and get into bed as soon as he could; then

gave him some morphine, and not having a remedy that I wished to use, I left him and went for it; was gone 15 or 20 minutes; when I returned found him still quite sick at the stomach, vomiting, and surface quite cold; I called for a bowl and placed it in what we call a neutralizing mixture, it was composed of rhubarb, cinnamon, soda and peppermint; Isaac L. Wood bro't me the bowl and placed the articles into it; directed him to take it to the kitchen and put on boiling water, steep it a certain length of time, and bring it to me; he did so; I then added a little brandy and laudanum to it and commenced giving it to him; applied mustard to the extremities and bowels; continued the treatment all night; remained there with him: symptoms did not abate, but rather increased; during the night he remained in that state till about two o'clock the next day, when he sent for Dr. Reynale; he came and after an examination prescribed for him; his treatment was then followed; D. J. Wood, I. L. Wood and the servant girl constituted the members of the family; prisoner was present part of the time during the conversation; the prisoner did not set up with Mr. Wood that night; he came into the room once in the while during the night; I was gone probably an hour and a half to breakfast; left I. L. Wood with him; medicine was to be given about every half hour; directed J. L. Wood to give it to him in my absence; he complained particular of distress in the bowels, stomach and chest, with considerable thirst; some heat upon the bowels; tongue was red upon the tip and edges with a white fur standing back; was very dry; there were moments when he remained quiet, but they were very few; he was very thirsty; he had no evacuation during the day; gave him toast water, slippery elm and ice water for drink; left him to go to dinner in charge of I. L. Wood; got back about one o'clock; Dr. Reynale was called at my request; I L. Wood went for him; I was in the bed room when I gave I. L. Wood the bowl of medicine to steep; it came back strained and sweetened I supposed; Dr. Reynale came about 2 o'clock; think the prescription Dr. Reynale gave was a powder composed of camphor and morphine; left the directions with Isaac Wood and both of us left probably about half past two, my recollection is that the powders were to be given every two hours; think the mixture I prepared was given occasionly that afternoon; on our return about five, we found him no better; symptoms seemed to have become aggravated; he had thrown up all the medicine that had been given him; think we gave him that night a preparation of creasote and ice broken up in small pieces; stayed up with him till about 10 o'clock; stayed in the house all night; I was called in the night on account of a new symptom, a suppression of the urine; they came to my room and I told them to apply a fermentation of hops to the bowels; Wm. Brown sat up with him that night, I found him in the morning apparently much worse; the vital powers sinking fast, and every indication that he would not long survive; Mr. Brown came there about nine o'clock; there had been no other persons in attendance except

Isaac Wood, Dr. Reynale, Wm. Brown and myself up to that time; Mr. Brown resides in Dansville, he is a baker; Dr. Reynale left in the evening, and was to return at five in the morning.

We concluded that morning that if he was not relieved very soon he would die; about nine o'clock we gave him a warm bath; that seemed to relieve him and made him quite comfortable for a short time; we found him so much exhausted that we then put him upon stimulants and tonics pretty strong; about an hour after the surface became dry and cold; he commenced purging; distress seemed to be worse, and he continued sinking till he died; he died between five and six that afternoon; I think I saw Mr. Puffer there Wednesday morning; don't remember hearing the prisoner say anything about the cause of his illness; he was there when he died; he seemed to show considerable grief; his brother talked with him upon religion; D. J. Wood was then conscious that he was about to die; my opinion now is that he was poisoned by taking arsenic into his stomach; I have seen the paper of arsenic contained in the package here:

Cross-ex.—I had the opinion at the time that he had an attack of cholera morbus, believe that was the opinion when Dr. Reynale was called; the analysis of the stomach caused me to change my opinion; had attended cases of cholera morbus; am well acquainted with the disease; I thought it strange that his symptoms were so very severe; never treated a case before that proved fatal; I never attended a case of arsenical poison; know by authority what the symptoms are, on my first visit Mr. Wood remarked that he was subject to such attacks, he thought it was cholera morbus; I used arsenic in my practice six or seven years ago; have had no occasion to use it since; knew that D. J. Wood sent for me; did not know that the other physicians blamed him for it.

Re-ex.—There was one symptom not common to cholera morbus; the suppression of urine I never noticed before; knew of no similar case out of this family that season.

W. H. Reynale, M. D.—Was called to attend D. J. Wood on Tuesday, the 15th of May, at two o'clock in the afternoon; I. L. Wood came to my house and requested me to go; said his brother was very sick; I walked down with him; went into the bed-room; Mr. Wood reached out his hand and said he was very glad to see me; told me his symptoms. (The Doctor then gave a history of the case, and the treatment, which was substantially the same as that already given by Dr. Shepherd.) He wanted to know what our opinion was, and we told him the next morning that we thought he would die; don't think I ever lost a patient with cholera morbus above an infantile age. When I visited him I considered it cholera morbus; was at a loss for any other name; I am now of opinion it was a case of arsenical poison; I looked at the time for the cause; he told me he had eaten mush and milk; a piece of mince pie and toast; I knew that ought not to kill a man; since then I have treated two cases of

arsenical poison; one was a child of about 18 months; the other a boy of about ten years; the suppression of urine indicated arsenical poison; the prisoner said very little concerning his brother's sickness, if anything.

Cross ex.—A dose of poison that would kill an adult, might be thrown off by a child; I should expect a smaller dose to destroy a child; if no arsenic had been found in the stomach of D. J. Wood I should not have changed my opinion; there is such a similarity between cholera morbus and cases of arsenical poison that I was not looking for it; I regarded the case as an anomaly, something about it I could not understand.

Court here adjourned till 8 A. M., to-morrow.

SECOND TUESDAY—MORNING SESSION.

Dr. Reynale was re-called this morning and stated that there was no arsenic in the medicines given D. J. Wood during his last illness. The Dr. had been the family Physician of Mr. Wood for a number of years and never knew him to have a similar attack.

Dr. Patchin was then re-called. He heard the testimony of Drs. Shepherd and Reynale, and says the symptoms described indicate a mineral irritating poison; most likely arsenic. He then mentioned a number of symptoms described that are not found in cases of cholera morbus.

On his cross-examination the Doctor testified that from hearing a history of the case and the symptoms he might not form a positive opinion, but should strongly suspect Arsenic.

Dr. Endreas then took the stand and said that he had heard the symptoms of D. J. Wood described. Judging from these symptoms and the history of the case, he is inclined to think it is a case of poison. The Doctor was present at the disinterment of the body of Mr. Wood, and recognized it.

On his cross-examination the Doctor said that if there had been no chemical analysis, he should still be of the opinion that it was a case of poison.

Daniel Ingersoll—Resided in Dansville about 35 years; was present at the disinterment of the body of D. J. Wood in the latter part of August, 1857; noticed and recognized the body from the appearance of the face and the hair, Dr. Blake opened the body; Coroner Caton was there.

Cross Ex.—Think I should have recognized the body anywhere else if my attention had been called to it.

Wm. Brown—Knew D. J. Wood; staid with him one night during his last illness; gave him his medicine, and ice-water to drink, but nothing to eat.

Cross Ex.—It was Tuesday night; he died the next day; went there between eight and half-past eight in the evening; Dr. Shepherd, I L. Wood and the hired girl were there. I was with him all night.

Mrs. Goodwin.—Remember the day Mrs. Wood, Miss Brookfield and the hired girl started for N. Jersey; Mrs. Wood said that Mr. Wood and Isaac were going over to Halsey's to board in a day or two; I staid at Halsey Wood's nights while they were gone; D. J. Wood and Mr. Isaac Wood were the only persons that staid in the house nights; they boarded at Halsey Wood's; Sunday night before D. J. Wood was taken sick they ate pudding and milk at his house; I took a dish of pudding and a pitcher of milk over from Halsey Wood's; it was after church in the evening; took it in and set it on the dining-room table; they were both there; I then went back to Halsey Wood's; Mr. D. J. Wood asked me as I went out if I was going away; I said "yes," and he said "very well;" the next morning Isaac came over and said his brother was sick during the night. I went over soon, and was back and forth to the house all day; I gave him nothing to eat or drink during his sickness. prepared nothing for him; don't know what made him sick; I saw Isaac go to church with his brother on Sunday; Halsey Wood was in New Jersey at that time; there was never any difficulty between me and Mr. or Mrs. Wood.

Cross Ex.—Hannah Ryan went with me when I carried them the milk; they were in the habit of eating pudding and milk evenings; I won't be certain but that I staid there Monday night; don't remember of any bowl being brought into the kitchen.

Dr. Z. H. Blake.—Was present at the time D. J. Wood was disinterred; opened the body; took out the stomach, liver and bowels; delivered them to Dr. Caton; they were in a very good state of preservation; were moist; they were taken to Niles' Drug Store, I think wrapped in a brown paper; I assisted Doctor Caton in putting them into a stone jar. The Doctor then described the manner of sealing up the jar, and stated that it was delivered to Coroner Caton.

Dr. Justin Gates.—Reside in Rochester; knew D. J. Wood; have lived in Rochester for the last four or five years; was at Dansville once; I prepared

some pills for Mr. Wood; they were what I call "Headache or Stomach Pills;" there is no arsenic in them; do not use it in any medicine.

Cross Ex.—Mr. Wood wrote to me for pills, think his letter was dated the month previous to his death; I had left some pills for sale in Dansville; I heard of no prescription made for him that I would be willing to use: I think much of it is deleterious and bad; I heard the physicians testify to what was given to Mrs. Wood; there were some good articles compounded with bad; general treatment bad.

Re-Direct.—I should not use morphine, laudanum or chloroform; I am opposed to these narcotics; I admit that they render the patient quiet; a sort of satisfaction; my system is the Botanic or Vegetable; don't believe in the Allopathic system.

Mr. Niles was then re-called and testified relative to the sealing of the stomach of D. J. Wood. It was put into a stone jar and about two quarts of 95 per cent. alcohol poured in. The stone jar was procured at the store of J. P. Sprague. The jar was delivered to Coroner Caton.

Dr. Caton testified to taking the jar and contents to Professor Hadley.
The Court here announced a recess of one hour.

SECOND TUESDAY—AFTERNOON SESSION.

Prof. Hadley was called to the stand, and testified that in the month of September last Coroner Caton brought him a jar said to contain the stomach and viscera of D. J. Wood. He made an analysis of the contents and found arsenic therein.

On his cross-examination the Professor gave a minute description of the process, and exhibited specimens of the arsenic taken from the stomach of D. J. Wood, which he had secured in small glass tubes.

Rev. K. P. Jervis.—Had some acquaintance with Mrs. Rhoda Wood; remember her death; saw her during her illness; knew I. L. Wood; I remember speaking to the physicians and to I. L. Wood relative to a post mortem examination; I said to him that the death of his brother, and his wife's illness, and the circumstances attending, were certainly extraordinary, and asked him if he did not think it would be well to have an analysis of the contents of the stomach. He replied that he did not think it necessary.

Cross-Ex.—Think this conversation was while Mrs. Wood lay at the point of death; do not recollect of speaking to Halsey Wood on this subject; I had an opinion at the time what caused their death, but do not know as I expressed it; Halsey Wood was a member of the church of which I was pastor; I attended the funeral.

John Hillman.—Reside in Dansville; lived at Wayland Depot in summer and fall of 1854; kept a hotel; became acquainted with the prisoner there; he stopped at my house every few days; stayed there nights sometimes, his business was packing and shipping butter and eggs. (The Prosecution design to show by this witness that the prisoner, after coming into the hotel at night, would say that he had to work all the while and be poor, while his father had set up his brother David in business and made him rich on money that he [I. L. W.] had helped earn. The defence objected to the testimony, and the Court decided it was too remote.)

Mrs. Eliza Bradley.—This witness testified to seeing the prisoner on the morning after the death of Mr. Wood, sitting in the dining-room at the desk of D. J. Wood; he was writing and looking over packages of papers that he took from pigeon-holes in the desk; was engaged at the desk all the time witness was there, about two hours; he was writing upon a blank book, and was looking over papers that looked like notes; he looked up once and appeared to be very much agitated; it was about the time that Mr. Puffer and Mr. Abbott came in; he said nothing while I was there.

Cross Ex.—I went in there as a neighbor; did not speak to Mr. Wood; spoke to Mrs. Littles; she was there to provide gratis clothes, she came and sat by me on the lounge part of the time; there may have been people coming in to see the corpse; but not in the room where I was; I thought at the time it was singular he should be engaged in such business at that time, he did not write any letters while I was there; I looked close enough to see that; I mentioned the circumstance after I got home to my children, and afterwards to Mrs. Dr. Endress; Mr. Wood did not get up while I was there.

Re Direct.—The corpse was in the parlor; people could go in there without going into the dining room.

Mrs. Elizabeth Littles.—Went to Mr. Wood's house about 11 o'clock the morning after he died, and stayed till about 9 at night; saw the prisoner; part of the time he was walking the floor and part of the time at the desk; he took papers from the desk, looked them over, and put some back; sa ^s some remain on the desk and saw him put some in his pocket; saw him figuring; sometimes when people came in he would leave the desk and walk the floor, at others he would hurry the papers into the pigeon-holes and take up a religious tract; noticed this when Mr. Hequembourg came in; he seemed to be very much agitated and frightened; looked pale; heard no conversation between them; Mr. H.

did not come into the dining room; Mrs. Bradley called him by name and at that time I noticed the emotion of the prisoner; it was after that that I saw him put the paper into his pocket; after he got through at the desk he walked the floor part of the time, and conversed with those who came in; Mrs. Bradley, Mr. Pusler, Esq. Abbott and some others were there.

Cross Ex.—I was sent for to take charge of the house and corpse; Mrs. Bradley came there soon after I did; it was not more than ten minutes after I went there before I saw him at the desk; I spoke to the prisoner; he asked me to go over to Halsey Wood's to dinner about one o'clock; he went with me, I think; between 11 and 1 there were very few in; I did not watch him all the while; I could see him from the wing room where I sat part of the time; don't remember seeing him late that day; he might have done so; he had a pen; saw him make figures; I stood a few feet behind him; don't know that I attracted his attention; this was after dinner; I don't remember mentioning the circumstance until the time Mrs. Wood was disinterred; spoke of it to my brother-in-law from Buffalo; I received pay for part of my services there; the bill that I presented was paid; I mentioned the circumstance to J. Brittan after I was subpoenaed on the former trial.

Miss Jannette Wilson.—Reside in Dansville; knew D. J. Wood; lived the fourth house from him; was there the day he died; went at 7 P. M. and staid till 10; was there the next day; went at 8 A. M., and staid till after 11; saw prisoner there; he was in the dining-room; I was there most of the time; he was walking the room when I went there; soon after he went to the desk, took out several packages of papers and looked them over; he had another paper that he seemed to be making figures on; when any person came in he would hurry the papers into the desk and appear to be reading a tract or newspaper; he continued this until I left.

Cross Ex.—Did not testify on former trial; was not subpoenaed; mentioned the circumstance at the time to my mother, father and sisters; spoke of it again during the last trial; my mother was a witness then; I. L. Wood was there when I went in, and I think Mr. Peffer was; he did not stay long; there may have been other persons there; I can't say; I saw Mr. and Mrs. Chapin there a number of times while the corpse was in the house; I was within three or four feet of Mr. Wood part of the time; I went back in the afternoon about one o'clock; Mr. and Mrs. Lester Bradner came in when he took up a tract; I. L. Wood spoke to the gentlemen who came in, but did not converse long with any one; I had been somewhat acquainted with the prisoner; did not speak to him then; I was frequently in at D. J. Wood's; had seen the desk; don't remember whether it usually stood open; I related this to Rev. Mr. Brown and his wife during the former trial, before the testimony of Mrs. Littles was published.

Rev. C. L. Hequembourg.—Is a Presbyterian clergyman, and resides at Warren, Pa. Resided in Dansville at the time Mr. and Mrs. Wood died and for some years previous; went to Mr. Wood's about 3-4ths of an hour before his death. Mr. H. saw the prisoner there, and asked him several questions but elicited no replies. While in the dining-room he heard the prisoner in the bed room exclaim, "Oh, my brother." He went into the bed room, and as he did so, passed the prisoner who was coming out. Mr. H. saw him a moment afterward on the lounge in the dining-room presenting an appearance of levity. Mrs. Wood returned before the funeral; when she and the children were sick witness and prisoner had a conversation relative to the cause of their illness; witness said there was something remarkable in the recurrence of the disease, and that he thought there was poison in them all; told him there might be something in the cellar that caused it and proposed to go there and examine; prisoner said emphatically there was nothing there; witness then asked if they had eaten veal, as that had been suggested to him; prisoner said they had; said that Miss Brookfield and the hired girl did not eat any; prisoner also stated that he was taken sick while on the way to the Depot and had to get out of his buggy; he put his hands upon his stomach indicative of where his illness was; witness saw nothing in his appearance indicative of illness; his face was colored rather than pale; had another conversation on this subject before Mrs. Wood's death.

A few days after the death of Mrs. Wood the two children were taken to New Jersey and were absent about four weeks. Shortly after their return they were taken into the family of Mr. H. under an arrangement with the prisoner, who had been appointed their guardian, where they have since remained. Mr. H. had considerable difficulty in getting the prisoner to make a definite arrangement in regard to them. They had several conversations on the subject. In some of them the prisoner expressed his belief that the estate would be inadequate for their maintenance. The prisoner once gave a note which Mr. H. got discounted for \$105, which, together with some he has received from the administrators for the support of the children, amounts to \$325. The prisoner was opposed to the children being taken out of the State, and since their being taken to Warren has paid no attention to them whatever. At the time he gave the note he came to the house of Mr. H. in a buggy to take the children riding.

From something that the witness perceived in his manner he refused to let them go, and induced the prisoner to come in and have a settlement.

This witness was on the stand for some time, but the above are all the facts of importance elicited.

SECOND WEDNESDAY—MORNING SESSION.

Miss Brookfield re-called—I went to New Jersey with the children after the death of Mrs. Wood; John Bonnell and I. L. Wood went with us; they were taken at Mrs. Wood's request; they staid at my father's while in New Jersey; Mrs. Wood's first wish was that they should be brought up with my sister and myself; afterward she said that was too much to ask; their board would be paid wherever they were; and that would be an object to her sister, Mrs. Day; so she wished them to board there, and that I should have the supervision of their education; Mrs. Day lived about one block from my father's, in Morristown; we arrived there in the evening, at 6 o'clock, on the 21st of June; the children were not taken to Mrs. Day; Mr. Wood objected to their going; they remained in N. Jersey until July 24th; Mr. Wood returned to Dansville about ten days previous; I returned to Dansville with the children, as I was advised to bring them back to Mr. Wood by Mr. Whelpley, a lawyer, and also by my father; I took them to Mr. Wood's residence; the place where D. J. Wood lived; we went immediately to D. H. Wood's, and stayed there a week and five days; after they returned from New Jersey, I. L. Wood wished to keep them in his family, but his wife objected to it; I remained in Dansville until the 21st of August; took the children to Mr. Hequembourg's on the 30th of July; they went there at my suggestion; I think I suggested it a day or two after our return; the next I heard or saw of I. L. Wood was about the last of February at Genesee; D. J. Wood's desk and papers were in the dining-room; that was the only desk there.

Cross-ex.—Have seen D. J. Wood and I. L. Wood write at the desk; they used it in common; I attended Mrs. Wood's funeral; went to the cemetery; I. L. Wood attended as one of the mourners; my father was there; he returned on Tuesday morning; it was D. H. and I. L. Wood's wish that I should remain and arrange things in the house; the children were not well; I staid with a view of taking them with me; Mrs. Wood talked with I. L. Wood and myself on her death-bed about the disposition of the children, she said she wished me to take the children East with me when I went, she wished I. L. Wood to be the guardian of them; he said he would; she said,—"Brother Isaac, I want you to be the guardian of my children;" I left as soon as I had arranged the house; the children had not entirely recovered; they were taken in compliance with her request; John Bonnell and I. L. Wood stopped at the Summit, about ten miles from Morristown, to go to New Providence; I sent for Mrs. Day the evening I got there, saying that I had returned and wished to see her, I told Mrs. Day what Mrs. Wood's wishes were in regard to the children; Mrs. Day said her sister never would have chosen Isaac Wood for guardian if she had been in her right mind; I told her that could not be questioned; she then said it was because he was there with her; she said it was all wrong about Halsey's being administrator; the estate would be all squandered, said they were dishonest and would look out for themselves; said it could and would be undone; she repeated several times that the property would be squandered, she said, "Did my sister think I was incapable of taking care of her children?" I replied that I did not know what she thought, but that was what she said. I asked Mrs. Day what she would charge for their board, said she did not know, I asked her if she would think of it and come down again in the morning, she said that she did not know that that she should live till morning, and left, the children had retired, she did not see them, she came about eight or after, and left about ten o'clock, she did not come the next day, I have never seen her since to converse with her. Mrs. Day saw the children, I sent them up several times to see their aunt, she did not send for them, when Mr. Wood left us at the Summit he said if there was any dissatisfaction I should keep the children till I saw him, he promised them they should stay with me that night before they reached the Summit, I wrote to Mr. Wood that evening after Mrs. Day left, telling him to come up immediately, I retained a copy of the letter, Mr. Hendee has it. (The copy of the letter was here shown and read.) on the 24th I went to see Mr. Wood, I wished him to give me a paper authorizing me to give the children up to Mrs. Day's care, so as to relieve me of any responsibility, my father drew up such a paper and Mr. Wood refused to sign it, he said they should not go to Mrs. Day's, said he wished to carry out the wishes of Mrs. Wood, I told him that if he would not sign that, I wanted him to give me one that would warrant me in keeping them, I did not want to keep them till they became attached to us, and then have them taken away, he objected to doing so, think he gave no reason, afterward my father drew another paper, which he signed, (paper produced and read, authorizing Miss B. to take care of the children until they arrived at years of discretion, subject to removal at any time when the prisoner should become satisfied they were not properly cared for.) He hesitated about signing it, nothing further of importance occurred at that interview.

Soon after that Mr. Wood came up and went to Mrs. Day's also, Mr. and Mrs. Day had not made application for the children, I had not seen them, Mr. Stephen Day and I. L. Wood came for the children, Mr. Wood said he had been to see them, and there was so much dissatisfaction he thought they had better take them, I did not object, there was an effort made by I. L. Wood to take them, but they resisted and screamed, he finally said they should not go unless they went cheerfully, they both went away, Mr. Wood came about a week after and said he had given Mr. Day an order for the children which he would present, he forbade me letting them go unless they went cheerfully, Mr. Day presented the paper and I told him what Mr. Wood said, and wished him to go up stairs and see the children, Mr. and Mrs. Job Brookfield and Mr. Day came, they declined going up stairs and left, said they would have the children dead or alive, they appeared very much displeased, Mr. Wood came alone to see about the children before leaving for Dansville, I wished him to take them with him there, he wanted them to stay where they were, and declined taking them, about ten days after I went to Dansville with the children, I was advised by Mr. Whelpley and my father to do so, (a communication from Mr. Whelpley to Miss B. was then read, also another letter from Miss B. to the prisoner on the subject.) Mrs. Day did say she would have nothing to do with the children unless she could have the whole control, I delivered the children to Mr. Wood with a line from Mr. Whelpley, he wished me to go directly to his brother's with them, he was very glad that I brought them back, think I told him there were rumors that they were getting out a process to take the children, I. L. Wood wished to keep them in his family, but his wife said it was too much trouble, she did not wish to have the care of them; Mr. Wood wished me to find a place to board them I succeeded in getting a place for them at Mr. Hequembourg's, Mr. Halsey Wood preferred their boarding at Mr. Smith's as she would board them much cheaper, I. L. Wood was willing they should go to Mr. Hequembourg's, as we thought it would be their parent's choice, I saw the children often while there, I stayed at B. J. Chapin's, it was not known then that Mr. H. was going to Pa., I was not sworn on the former trial, was subpoenaed here, was here during the trial, I was in Warren, and came here with Rev. Mr. H.

Re-direct—Was subpoenaed by defence, I did not have any of the letters with me before, Mrs. Day talked very much about Isaac Wood being appointed guardian, she made no objection to me, Isaac Wood had an interview with my father and myself three or four times at Morristown and once at New Providence, before we got to New Jersey the children asked permission to stay with me that night, I told them they must go to their Aunt Lockey's and she would let them come down soon, soon after they said their uncle Isaac said they could stay with me that night, he sat two or three seats behind us on the opposite side of the car, I told them if he said so they could stay, but must go to their Aunt Lockey's in the morning, when Mrs. requested Isaac to be the guardian she told him he must be honest with them and their affairs, Mr. Bonnell is Isaac Wood's wife's brother, Mr. I. L. Wood's wife is not living, I left Dansville the third of September last to see the children and Mrs. Hequembourg, remained there till we came here to court. (Another paper signed by I. L. Wood, authorizing witness to take charge of the children, was presented.)

Moses A. Brookfield—Am the father of the last witness, I arrived in Dansville on the morning of the day Mrs. Wood died, my daughter, Mrs. Wood and the two children were in New Jersey when I received a dispatch that Mr. Wood was dead, Mrs. Wood and the children were sitting in the parlor, I told her I was sorry to learn that her husband was very ill, she became frantic, I took her by main strength and sat her down upon the lounge, her whole cry was that she must go home, I told my daughter Amelia that I knew of no person so suitable to go with Mrs. W. as herself, she said if I thought it her duty she would go; they started, I received a letter from my daughter a few days after saying that Mrs. Wood and the children were very sick, received a telegraph dispatch the same evening saying she was very low and could not live, I told my wife that I was very much alarmed about the matter, the next we should hear would be that Amelia was sick, went to Dansville, at the earnest request of Halsey Wood I returned without her, she and myself agreed that she staid at the peril of her life, I wrote to her that she must not bring the children there without the written consent of the guardian, as I had learned there was some dissatisfaction, the letter she wrote to Mr. Wood should have reached him the next day at 12 o'clock, we heard nothing from him, and in three or four days we went to see him, after a conversation of four or five hours I drew up the paper that has been read, he copied it and signed it, prisoner said several times that the great difficulty with Mrs. Day and the rest of the family was they wanted the children away from Miss Brookfield; Stephen Day brought an order for the children, and presented it, my daughter told them I. L. Wood had given them the order, but that she must not let them go unless they went cheerfully, she asked them to go up stairs and see if they could induce the children to go, they did not go up, but used violent language, one of them said they would have the children dead or alive, defendant was there once after that, it was the understanding that if at any time the children would go cheerfully we were to give them up, I heard they

were about instituting legal proceedings in regard to the children before the Chancellor, I thought we had already had sufficient trouble about it and went to see Mr. Whelpley, an Attorney, and wished him to give my daughter written legal advice, he gave it and also some instructions to the guardian, my daughter and the children went to Dansville, don't think I ever saw the prisoner with the children, he never called them to him or went to them, manifested great earnestness when talking about them, and I should say great agitation or anxiety, something that always attracted my attention.

Cross-Ex.—Have no recollection of seeing the prisoner before I went to Dansville, presume there was considerable excitement about this matter there, no doubt there was a good deal of dissatisfaction, I was present the first evening when Mrs. Day came to see my daughter, she seemed to become quite excited, the parties who seemed to take so much interest in the children rated the estate at from \$100,000 to \$140,000; I endeavored to calm them, said I did not think the estate was anywhere near as valuable as they supposed the integrity of the two brothers in Dansville I knew nothing of, Job Brookfield is a second cousin of mine, the Woods are not related to our family.

The District Attorney here offered in evidence a letter written by prisoner to H. G. Simmons about the time of D. J. Wood's illness.

Another dated May 24, 1855, to the same person.

He also offered the letters of administration in the estate of D. J. Wood, the petition of Rhoda Wood for the appointment of guardian, and the subsequent petition of I. L. Wood for the same.

The \$2650 note was here introduced and a number of witnesses examined relative to the genuineness of the signature.

Edward Niles—Pronounces it forged.

SECOND WEDNESDAY—AFTERNOON SESSION.

The examination of witnesses relative to the validity of the note was continued.

Barna J. Chapin—Says it is not genuine.

John W. Brown—Don't think it is genuine.

Daniel Ingersoll—It is not D. J. Wood's hand-writing, but a very good imitation.

A. J. Abbott—Thinks it is not genuine.

L. P. Kennedy—I don't call it genuine.

Tom E. Lemen—Says it is not genuine.

L. H. Puffer—Think it is not genuine.

L. P. Kennedy—Know the prisoner, saw him first in Burns, in 1854, am one of the administrators of the estate of D. J. Wood, I have been sole administrator since the summer of 1855, have transacted business as such, (witness is shown a land contract signed by D. J. and I. L. Wood, dated April 1, 1855, for a piece of land in Burns.)

The contract was introduced for the purpose of showing a fraudulent endorsement upon the back of \$315, also to show that I. L. Wood was indebted to the estate at the time he pretended to hold a note of \$2650 against it.

Cross-ex.—At the time of D. J. Wood's death the prisoner was doing business in fair credit as far as I know, he failed in July 1856. I understand he was doing an extensive business, an inventory was made of D. J. Wood's estate, there were three houses and lots and a store in Dansville, D. J. Wood's interest estimated by witnesses at \$3,000, he had village lots, a tavern stand and a farm at Burns Depot.

Re-direct—Saw D. J. Wood on Saturday before he died at Burns, Esq. Wilkinson was with him.

Cross-Ex.—I. L. Wood had possession of the real estate as guardian, thinks he may have received rents on the store and houses, the store rented for \$200 a year to D. H. Wood, when he went away he made an arrangement to transact business as guardian, I paid Mr. Hequembourg all that he asked for up to Feb. last, I have paid him \$350 I believe, think D. J. Wood was complaining some when I saw him at Burns.

Testimony was here adduced showing alterations, additions and erasures upon contracts, notes and the cash and account books of D. J. Wood, tending to the pecuniary benefit of the prisoner.

Mrs. Wilson was then recalled.—Remember Mr. Hequembourg's leaving Dansville, had a conversation with I. L. Wood about the children the day before at my house, he called and asked if I was going to move away from Dansville, said he called to see if I would not take his brother's children, Mr. H. was going away some distance, and he wanted them near by where he could see they were taken care of, said he did not want them to leave Dansville, Mr. Hequembourg had not used them well, wanted to know if I could take them the next morning, told him I would on the same terms Mr. H. had, said he would probably bring them about 9 o'clock, said he would see me again.

He came at noon the next day, said he was at the house and settled with Mr. H. the night before, forbade him taking the children, said he went up the next morning and saw them in the stage going round the corner, his business was pressing, or he would have followed and overtaken them at Burns Depot, said he was going for them in two or three weeks and would bring them to me.

Cross-ex.—I have a husband and three daughters, did not give this testimony on the former trial, I related it in my family a number of times, talked with Judge VanDerlip about it to-day asked him what the defence wanted to keep me here for, and said I couldn't think of anything unless it was concerning the children, I then related this conversation; he said Mr. H. had not used them well, and he wanted to get them away from him.

The People here rested their case.

Court adjourned to 8 A. M. to-morrow.

SECOND THURSDAY—MORNING SESSION.

Mr. Bulkley proceeded to open the case on the part of the defence. He remarked that he should not occupy any great length of time, not intending to enter into a review of the evidence already adduced. After alluding to the responsible position occupied by the gentlemen chosen to decide this case, he said that if Mrs. Wood was poisoned the crime was a great one. She was a woman who had embraced religion in early life, and had passed through some of the most trying ordeals to which frail humanity was ever subjected. He alluded to the great propensity of the majority of the public to create a theory and bend circumstances to its proof in cases where crime is supposed to have been committed. Especially was this the case with the opposite sex, he would by no means accuse them of dishonesty, but having adopted the theory that a crime has been committed they make every circumstance conform to its proof. He would not impugn the motives of any lady or gentleman who had been called here to testify, he could guaranty their general good character in every respect.

Up to the sixth day of July last there was no suspicion that a murder had been committed in this case. Previous to that time whatever suspicions existed were that poison was taken accidentally, and perfectly consistent with innocence. On this sixth day of July a package of arsenic was found in the barn, and all at once certain acts, facts, demenors, etc., sprung up in the minds of different ones. The defence deny that in this there is anything that points to the commission of a murder. He argued that no man ought even to be convicted of a crime of such magnitude where an enlightened public opinion is divided upon the question of the guilt of the accused.

Mr. B. alluded to the evidence adduced in a general point of view, cited a number of authorities bearing upon the case, stated the evidence they expected to adduce, and concluded his remarks, having spoken about two hours and a half.

EVIDENCE FOR THE PRISONER.

Lewis W. Carroll—Not in the room.

Dr. Endress—Knows Rev. Mr. Jervis, he lived in Dansville in 1855, don't remember of seeing him at Mrs. Wood's after her death and before her burial, think I saw him in the house before her death, I think he stated that he thought there ought to be a post mortem examination of Mrs. Wood, don't remember what I said to him, I recollect that he mentioned the subject.

Cross-ex.—Think this was the day before she died.

Rev. K. P. Jervis—I spoke to Dr. Endress in regard to a post mortem examination of Mrs. Wood, I am not certain whether it was before or after her death, my best recollection is that his reply was to this effect, that as her case was decided and the other members of the family had partially recovered, it would be of no advantage in a medical point of view.

L. P. Kennedy—The value of the real estate of D. J. Wood in 1855, in Dansville, was about \$4,500, the encumbrance on this was \$600, in Burns, \$30,000, encumbered for \$21,200, personal estate at Dansville, \$4,500 (the witness here described the character of the encumbrance, etc.)

I occupied the barn where D. J. Wood lived in July, 1855, took care of a horse that I had there, used hay that was in the loft, never saw a package lying on the plate, have heard the place described where it was found, was there about a week the first time, known the defendant since 1854, know nothing against his character up to the time of D. J. Wood's death, I am not related to the family, have known D. J. Wood for some years, I was appointed administrator at the request of the friends, never knew of any objection, was a member and officer of the same church in Burns.

Cross-ex.—I put no arsenic in the barn, think there was no money in the inventory, all that I heard of was a silver dollar that they said the children had to play with, prisoner occupied the premises at the time my horse was there, the upper part of the store at that time rented for \$40, it was valued at \$2,500.

Re direct—I. L. Wood collected the rent of the store after he was guardian, it was occupied by D. H. Wood up to July 9, 1856.

A. J. Abbott—Was at Mr. Wood's when he died, also the next day I think, saw various individuals in and about the house, I went into the dining-room, saw I. L. Wood, Mr. Puffer, Mr. Hequembourg, Dr. Reynale, Dr. Shepherd, Mrs. Littles and various others there, think I saw Mrs. Bradley there, I saw I. L. Wood on one occasion sitting at the desk, I was in the room, my best recollection is that he sent some letters up town to be mailed by Mr. Puffer on one occasion, nothing in his

bearing at the desk that attracted my attention, I had charge of some suits for D. J. Wood, have been one of the counsel for the administrators.

Cross-ex.—Don't recollect of going there more than once the day he died, am not positive that I was there at all on that day.

L. H. Pusser.—Was at the house when Mr. Wood died, went there that evening, saw I. L. Wood, George Brown and others there, don't recollect seeing Mr. Hequembourg there, quite a number were going in and out, was there the next morning, saw I. L. Wood, Esq., Abbott, Mrs. Bradley, Mrs. Littles, Mr. and Mrs. Bradner; was in all the rooms, I was there to assist in preparing for the funeral, think Mrs. Bradley was in the dining-room, I spoke to Isaac, he was in the dining-room, think he was sitting at the desk, don't recollect what he was doing, he sent some letters up town by me, think there were two or three, noticed nothing at the desk that attracted my attention, first knew I. L. Wood in 1854, noticed nothing particular in his conduct the night before, I was at the funeral, went to the cemetery, I. L. Wood attended as one of the mourners, think the corpse was exposed to view as usual at the funeral, from the time of his death to the funeral, I was out and infrequently, did not stay there nights, some one did, attended Mrs. Wood's funeral, went to the cemetery, think I. L. Wood attended, I. L. Wood maintained a good character as a moral, peaceable man up to the time of D. J. Wood's death, so far as I knew.

Cross-ex.—Became acquainted with prisoner in June, 1854, he was not known in Dansville before that time, I did not notice the prisoner particularly the night D. J. Wood died, only remember that I saw him there, it was about noon that I took the letters to the office, think they were handed me in the dining-room, think I waited for him to finish one, can't say whether any one else was in the room, I think I saw I. L. Wood every day I was there, did not notice him in particular.

Mrs. Pamela Smith.—Was not at the house when Mrs. Wood died, left at two or three o'clock in the afternoon, I heard her have conversation during her illness, she had her senses perfectly well when I left, she spoke to Miss Brookfield, she said "Amelia, take my children to my sister, Lockey; my clothes take with them," she then turned to Isaac and charged him to be honest with her children, and prepare to meet his brother David in another world, I did not hear Mrs. Wood request Isaac to be guardian then, I remember when the children came back from N. Jersey, Isaac made an arrangement with me to take the children, told him I would take them at \$4, thought it was low, but was willing to do it for those children, he selected a front room for them, which they were to have, and I was to take care of them, as my own, he concluded to have them come on Monday morning, he came on Monday morning and said that Mr. Hequembourg had sent word that he would take the children, and his brother David having been a Presbyterian he thought that would be his preference, I told him they could be taken to that church and Sabbath school, as we lived near the church, he said for his own part he was not particular to what church they went, but as it was his brother's request he would have them go to Mr. Hequembourg's.

Court here took a recess of one hour.

SECOND THURSDAY—AFTERNOON SESSION.

Mrs. Smith, recalled.—Mr. Wood said the children would not probably stay in Dansville but a short time, he thought they would be taken to the sister their mother gave them to, he said Mr. Wood had intended the boy for the ministry, for this reason he let Mr. Hequembourg have them, when I attended Mrs. Wood I removed the stools, did not examine them, the physicians did, I saw a letter that Mrs. Wood said her husband wrote her the Sunday night before his death, did not read it or hear it read, saw it Sunday afternoon, after his funeral, have never seen it since.

Cross ex.—I. L. Wood knew that I was of the Methodist persuasion.

The District Attorney here submitted in evidence the Surrogate's records allowing the appointment of Mrs. Wood as guardian of the children, and the subsequent appointment of I. L. Wood.

Miss Brookfield.—Not in the room.

Daniel H. Wood.—Reside in Newark N. J., D. J. Wood was my brother, I resided in Dansville, nearly opposite on the same street, when he died, was in New York City at that time, I returned home on the 18th of May, he died on the 16th, I was at home during the illness of Mrs. Rhoda Wood, was at her house when she died, on the morning of her burial I met Rev. Mr. Jervis in the street, and spoke to him about a post mortem examination, I went to see Dr. Endress about it, found him at his house, in the dining-room I think, said to him that it had been suggested to me that it was a suspicious case, supposed to be poison, and if it was so in his judgment I wished a post mortem examination before her burial, he replied that he saw no necessity for it, in his judgment it was not a case of poison, it did not operate in that way, he said they would not have waited for me to come to them if they had thought a post mortem examination prudent or proper, said he would go and see Dr. Patchin, we met Dr. Patchin in his carriage coming from his house, I think I told him what we had come for, Dr. Patchin replied that he saw no necessity for it, we should find no poison, don't know that I had an interview with Dr. Blake on

the subject, have an impression that I did, Mr. Kennedy was appointed administrator at Mrs. Rhoda Wood's request, Isaac concurred in it, I know the desk referred to as being in my brother's dining-room, I found his letters filed in packages in the same manner that he kept his contracts, deeds, etc., I found his valuable papers in a large pocket-book, Mrs. Wood handed me all the papers, I have seen Isaac write frequently at the desk, he boarded with David, Isaac came to Dansville in the spring of 1854, my brother David J. Wood was his endorser up to the time of his death, I saw his name on several papers for large amounts, their relations were very pleasant so far as I knew, D. J. Wood came from New Jersey, he owned real estate there; I think it was 49 acres, it was in New Providence, about 25 miles from New York, 14 from Newark, I understood that he sold it.

Cross-ex.—Don't recollect that Dr. Patchin said that they had no means of making a chemical analysis, Dr. Endress said nothing about it that I recollect of, it was between eight and nine in the morning that I saw them, can't say that I ever saw a person take a note from I. L. Wood with D. J. Wood's name on, am not one of the administrators, ceased to be in July last, I was removed, don't remember that notice was served on me to show cause why I should not be removed, I was cited to appear to account before the Surrogate of this county, in March 1857, I did not appear, I left Dansville on the 18th or 21st of March, I have not been in this part of the State since until now, I was arrested a day or two since for contempt of Court I took up a couple of carpets in the house soon after Mrs. Wood's death and put them down in my house, by consent of my associate; Isaac was one of the appraisers of the property; I sent my account to the Surrogate long before I was cited; I was informed that was all that was necessary by counsel; I never interfered with the disposition of the children except to advocate carrying out of their mother's wish; (witness is shown a couple of letters written by him in July and June, 1855; which he recognizes as written by him;) the wearing apparel of D. J. Wood was divided between the three brothers; don't remember whether it was in the inventory: think the coat the prisoner has on was one of D. J. Wood's; think I rented the store for \$ 200; David's interest in the store was sold to Isaac; I bought it of him; I have paid no money on it; I continued to retain out of the store after D. J. Wood's death; the goods were appraised; D. J. Wood's interest in the store was sold to Isaac at the appraised prices.

Re Direct.—I don't know who commenced proceedings against me here the other day; the matter of accounting was adjourned to the eighth of July; Mr. Abbott and Mr. Bulkley were sworn for me; Mr. Lemen was there; Dr. Patchin was there for Mr. Hequembourg; I offered to go on with the accounting, or wait here a week for them to get ready; they wished it adjourned longer; A. J. Abbott was my counsel before leaving Dansville; I never saw the Judge at Dansville; he appointed one meeting for this subject there, but did not come; I made a statement of my account with affidavit, and left it with Mr. Abbott; I had been indebted to the estate, but made an assignment sufficient to cover it and a little more; the store was sold to Isaac and he took possession; I afterward took it when I made an assignment it went to Mr. Kennedy as administrator; this was done by advice of counsel.

Cross-Ex.—I purchased of Isaac in June, 1855; think it was the same day he purchased of the administrators; I made an assignment in July, 1856; was selling goods at the store, (witness is shown another letter which he recognizes as written by him.)

Miss Brookfield.—Know Mrs. Hedges; remember her coming to Mrs. Wood's house during her illness two or three times, don't remember that I declined to allow her to go in and see Mrs. Wood; there were more or less ladies there every day after Wednesday; Mrs. Hequembourg asked about Mrs. Wood's illness, and I replied: don't remember of I. L. Wood's making any remark to Mrs. Hedges: don't remember that he came out of the bed-room with a cup and spoon at any time when she was there: have seen Mrs. Ella McWhorter she was at Mrs. Wood's during her illness: don't recollect the day: never saw her before that time: don't remember who else was there at that time: did not see I. L. Wood give medicine to the children while she was there: I remember one occasion when he gave them medicine: it was in the early part of their illness: don't know what medicine it was: he gave it from a tea-spoon; heard him make no remark that I recollect of, I may have given medicine to the children.

Cross-Ex.—Don't remember that Mrs. Hedges went into the bed room during Mrs. Wood's illness; there may have been intervals after the Wednesday when I was alone in the room with Mrs. Wood.

John M. Bonnell.—Reside in New Providence, N. J., know I. L. Wood, have known him 25 years, he has lived most of that time in New Providence; I was at Dansville soon after Mrs. Wood was buried, I. L. Wood married my sister, she is not living, remember the time he went to Dansville to live, he had been the owner of property in New Providence, he sold shortly before he left, realized from it \$3575, there was an encumbrance of about \$500, think he had money when he left, up to that time he had a good character.

Cross-Ex.--I. L. Wood sold between 35 or 10 acres of land, I bought 6 \$7 100 acres of it, I paid for it \$555, I gave him my note, have paid the note, he sold 9 or 10 acres near by for \$900, sold the balance for \$2100 and a little over, don't know how he received his pay, think he had some money when he started, I. L. Wood's wife died in September, 1856, I think; there is no other man by my name connected with the Wood family; have not said that the witnesses on the part of the people all swore false, have said I thought some of them were prejudiced, I remained in Dansville until I. L. Wood went to New Jersey, assisted him in boxing up goods, know nothing of a division of clothing, I went down with the goods.

The defence here rested their case, and the evidence closed. Application was made to allow two counsel to sum up for the defence, and by consent of the Court and the District Attorney, were allowed to do so. They then requested an adjournment until to morrow morning, in order to look over the testimony, which was granted.

SECOND FRIDAY—MORNING SESSION.

In anticipation of hearing an exhibition of eloquence and eloquence of more than ordinary interest, by the distinguished counsellor who have been engaged in this case, we have a large audience in attendance this morning. The friends, as usual, are represented by a large delegation.

Mr. Skinner announced that there was one circumstance which the defence had overlooked. They desired to prove by Halsey Wood that he communicated the result of his interview with Drs. Patchin and Endress, to the prisoner. By consent of the opposite counsel they were allowed to do so.

Mr. Wood then commenced summing up the case on the part of the defence. They came not here as supplicants for mercy, but as seekers for justice. After an eloquent enology upon life, and the tenacity with which we cling to it, he referred to the case of the prisoner at the bar. He alluded at considerable length to the prejudice and excitement which he averred always surrounds a case of this kind, trusting the jury would allow neither to influence them in the rendition of their verdict. He would not say there was no weight to be put upon circumstantial evidence, but it would be scrutinized with great care and caution. He called the attention of the jury to the crime for which the prisoner was indicted, as there had been so much extraneous matter introduced that this may have been forgotten. Mr. Wood cited authority applicable to the case, and enlarged upon the point that the prisoner is entitled to every legal presumption in favor of his innocence. He spoke in detail of the manner in which the case was treated by the physicians, and the fact that they did not advise a post mortem examination, arguing therefrom that they did not suppose at the time that it was a case of poison. With all due respect for the medical gentlemen, he believed that if arsenic had not been found in the stomach, they would all have testified that her symptoms were those of cholera morbus, and that she died from that disease. Mr. Wood spoke of the arrest of Halsey Wood the other day upon civil proceedings, as a trumped up charge to take him away from attendance here. He was sorry to see his friend Dr. Patchin countenance such proceedings, but the Doctor remonstrated when he had told Halsey Wood and did not want it related here; and Tom Lemen, the contestant against the estate of D. J. Wood, who knew nothing of his arrest, was there.

The counsel reviewed the testimony relating to the disinterment of Mrs. Wood, and the disposition made of the stomach, arguing that by reason of a want of care and exactness, the chemical analysis should be set entirely aside.

Assuming, however, that a murder had been committed, he entered into a review of the evidence, from which he argued there was nothing to connect the prisoner with it. In his appointment as guardian of the children, and his acts as such, no evidence of guilt can be found.

Mr. Wood spoke during the entire morning session, giving the whole case a very minute review.

SECOND FRIDAY—AFTERNOON SESSION.

Mr. Wood resumed his remarks, commenting upon the evidence relating to the death of D. J. Wood; he argued that the prisoner had no motive whatever to poison him, and that there is no testimony which proves or tends to prove it against him.

The defence have introduced no evidence relative to the charge of forgery, for they do not consider that there is anything in it to prove a motive to commit the crime for which the prisoner is now on trial.

Mr. Wood concluded his remarks at 3 P. M., having spoken nearly six hours.

Mr. Skinner then commenced the discharge of the duty assigned him by referring to the irregularity of the preliminary proceedings, for the purpose of showing the excitement and prejudice which surrounds the case. He denied that the poisoning of Mr. and Mrs. Wood had been clearly proved, or that there was anything in the evidence involving the defendant in the crime. On the contrary he argued that the testimony affirmatively established his innocence. Mr. S. made a very able speech closing at half past five o'clock.

Mr. Hendee then commenced summing up the case on the part of the people. He had not intended at the commencement to take any part in the final summing up of the case, and as it had turned he should make but a few general remarks. All the people ask is simple justice; there is no prejudice or excitement which spurs them to the pursuit of the prisoner at the bar. Mr. H. made a very able and eloquent speech of about an hour and a half, directing his remarks mainly to a reply to Mr. Skinner.

Court then adjourned to 8 A. M. to-morrow.

SECOND SATURDAY—MORNING SESSION.

Mr. Peck commenced his summing up of the case on the part of the people. For two long weeks we have listened to the evidence adduced upon this trial, and have listened with interest to the able appeal of counsel upon the other side. He now demanded that justice be done those two orphan children whose appeal has come up to us from the mountains of Pennsylvania. The prisoner at the bar stands indicted for the crime of administering poison in the shape of white arsenic to Mrs. Rhoda Wood, and he hoped the fair escutcheon of his native county would never be blotted by another jury saying a man was guilty but it was not proved.

The simple question to be decided first is, did Rhoda Wood die by poison? The able counsel upon the other side have argued that the symptoms were the same as in a case of cholera morbus. Admitting it for the sake of argument, and yet we have the testimony of one of the most distinguished chemists in the land that he found arsenic in her stomach, and he has exhibited specimens before us taken therefrom.

Having ascertained that her death was caused by poison, we must next endeavor to find by whom it was administered. Mr. Peck then presented an able argument showing the absurdity of the theory that Mrs. Wood had committed suicide, and showing the opportunity, means and motive that the prisoner had for administering to her the fatal dose. He then gave a history of the causes which resulted in the prisoner at the bar being arraigned for the crime. First, we have the suspicion of the physicians that the death of Mr. and Mrs. Wood was produced by other than natural causes; soon after their death a claim against the estate in favor of Isaac L. Wood for \$2650, in the shape of a forged note, makes its appearance; then the arsenic in the barn is discovered, and here we have evidence sufficient to justify the arrest of the prisoner. He is found upon the prairies of a distant State, and brought back. When told the crime for which he is arrested, he merely remarks, "it is a very singular case."

The estate has vanished, and the orphan children of D. J. Wood have been robbed of their patrimony; and if you search for their inheritance, you find nothing but the foot-prints of the Woods, and the specimens of so called humanity they have brought on here called Bonnell. Mr. Peck concluded his remarks by exhorting the jury to discharge their duty freely, fearlessly and faithfully; be the consequences what they may.

The Court then took a recess of one hour.

SECOND SATURDAY—AFTERNOON SESSION.

During the intermission a throng of people were wending their way to the Court House, a large proportion of which was composed of ladies. After the jury had taken their seats, Mr. Wood submitted to the Court a number of points of law, which the defence desired embodied in the charge.

Judge Johnson commenced his charge to the jury by making a few general remarks relative to the enormity of the offence charged, etc., after which he made an able and impartial review of the testimony, and instructing the jury what inferences may be drawn therefrom. At three o'clock the jury retired to deliberate upon their verdict.

At half past five the bell announced that the jury were ready to report, and the Court Room was at once densely filled with spectators. The prisoner was bro't in and placed in the box, his countenance indicating the same indescribable, almost indifferent expression he has manifested throughout the trial. Gen. Wood, his counsel, and Halsey Wood, his brother, were seated near him, the face of the latter suffused with tears, and manifesting deep feeling. The jury came up and took their seats. The Clerk called the roll and each juror answered to his name, after which the following proceedings took place:—

Clerk.—Gentlemen of the Jury, have you agreed upon your verdict?

Foreman.—We have.

Clerk.—How say you, do you find the prisoner at the bar Guilty or Not Guilty?

Foreman.—GUILTY.

The counsel for the prisoner then requested that the jury be polled, which was done, each juror promptly responding in the affirmative to the question "Is this your verdict?"

Upon the announcement of the verdict the prisoner burst into tears, and many of the ladies in attendance were nigh to restrain an expression of feeling.

The sentence of the prisoner was deferred until half past seven o'clock Monday morning. The jury were discharged from further attendance, and the court adjourned. The prisoner was returned to his lonely cell by the Sheriff, follow-

ed by his brother and brother-in-law, and the assemblage dispersed with such feelings as only the solemn scene they had witnessed can produce.

THIRD WEDDAY—MORNING SESSION.

At the opening of the Court this morning at 7 A.M. o'clock, the Court House was densely crowded. The prisoner was brought in by the Sheriff, and took his seat in the box, pale and evidently exerting all the nerve of which he is master, to repress his emotion. After the usual proceedings by the crier, Judge Johnson addressed the prisoner as follows:

"Isaac L. Wood, stand up. You have been convicted by a Jury of your country, of the crime of Murder. Have you anything to say why the sentence of the law should not be pronounced upon you?"

The prisoner holding on to the prisoner's box with both hands answered:—"Judge, I have only one word to say upon this occasion. I am not guilty of the crime charged against me. My conscience acquits me; thank God. That is all I have to say."

THE SENTENCE.

Judge Johnson then proceeded to deliver the sentence as follows:—"The last and most painful duty devolving upon the Court, in this most arduous and painful trial, remains to be performed. Before the evidence had been adduced upon the trial against you, it was almost impossible to entertain even a hypothetical belief that you could be guilty of the atrocious crime with which you stood charged by the indictment. It seemed incredible that one born and reared to manhood under civilized and Christian influences, could so far forget, not only the ties of blood, but his obligations and duties to his fellow man, as to yield to the promptings of any motive whatever, for a moment, to commit so heinous and unnatural a crime. But you have had a fair trial by an impartial Jury of your County, in which every form of law has been scrupulously observed, and all its merciful provisions brought to bear in full force, in your favor. Every opportunity has been afforded you to explain and rebut the inculpatory evidence against you. Your counsel have brought to your defense a devotion and ability, a zeal and eloquence, seldom equalled, and rarely surpassed. And yet the Jury have been constrained by the force of the evidence alone, to pronounce you guilty.

The law now holds you to be guilty of the crime charged in the indictment, and the Court is bound to regard your guilt as established beyond doubt or question. And this guilt, thus established, how deep and dark its dye! You entered the house of a confiding and affectionate brother, as an inmate and member of his family. You had enjoyed for nearly a year the shelter of his roof, the sustenance of his table, the comforts and enjoyments of his home, and the aid of his counsel, his experience, and his credit in your business. In the confidence of this relation, as the evidence leads us to believe, and in the absence of his wife and family, you secretly mingled, with his food or drink, a deadly poison, and sent him to an untimely grave.

The wife returns widowed, and the children fatherless, to their late secure and happy, but now desolate home. And ere they have recovered from the stunning shock of their great bereavement, and while all unsuspecting of its cause, you, as this verdict proves, instilled the same deadly agent in their morning meal, and dispatched the murdered wife from this world, to join the murdered husband in the other. Through all their hours of untold suffering and agony, while vainly wrestling in the fiery grasp of the unsuspected enemy within, you stood by them, conscious that all this was the work of your hands, unpitying and unrelenting, anxious and solicitous only, that nothing should thwart your fell purpose. In a few days you became the occupant of their mansion thus made vacant. Of their children, whom Providence has mysteriously rescued from destruction at your hands, you became the legally constituted guardian. Them you consign, for the time being, to the care of strangers, but their patrimony by various and multiplied acts of fraud and felony, you attempt to appropriate to yourself, discarding in this the poor and sordid motive, which had lured you on, step by step, and act by act, through this awful drama of crime. This epitome of your life's history, through a few brief weeks, as established and verified by this verdict, furnishes a chapter in the annals of depravity and crime, which has few parallels. The road through these scenes of crime and desolation, led you naturally and directly here, and finds its appropriate termination at the scaffold.

It is ever the fatal habit and infamy of crime, to leave some forgotten mark, some uncovered foot print, by which it may be followed and detected. Such a career is fitly closed by a death of ignominy, not only as a just retribution to the offender, but as a lesson full of solemn warning, teaching to all others, how hard, and how beset with peril, from its beginning to its end, is the way of the transgressor. A life thus stained, and burthened with guilt, and crime, can draw no consolation from the past, and no hope from the future. Resole refuge and shelter, is in the almighty blood of Christ, and to that and that alone can we point you forth in this fearful extremity.

The days of your earthly life, are now to be numbered, and the hour of your death appointed, and I we implore you to devote the few days thus allotted, to sincere repentance, and earnest supplications for mercy and forgiveness. And now listen to the sentence of the law: The sentence is, that on Friday the 25th day of June next, between the hours of one and three o'clock, in the afternoon, you be taken from the place of your confinement, to the place of your execution, and there be hanged by your neck until you are dead, and may God, your Creator, in his infinite compassion have mercy on your soul.

After the sentence, the Court ordered the Sheriff to remand the prisoner to prison, the crowd dispersed, and after making out and signing the Death-Warrant, the Court adjourned *sine die*.

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Statement of Isaac L. Wood.

TO THE PUBLIC.—The last hours of my life are fast ebbing away. Fully realizing my situation, and impressed with the conviction that I shall soon appear in judgment before my God, I submit to you this my dying statement, appealing to my Maker for the truth of the words I am now to utter. These are to me moments of awful solemnity, and I would fain hope that the declarations made at such an hour, will be believed.

I am condemned to an ignominious death, for the alleged crime of murdering, by poisoning, the wife of my brother, in whose family I had been an inmate, and I am charged with procuring, by the same means, the death of that brother who was my counselor, my endorser, my best earthly friend. In addition, it is asserted that I have been guilty of forging the name of my brother, to a promissory note of \$2,650, and also of mutilating and altering his books of account.

My whole being revolts at the imputations. In the most emphatic terms and to the fullest extent, I deny the charges. Although a Jury of my country have found me guilty of the crime of poisoning my sister in law, and predicated their verdict upon my alleged complicity in the other crimes, alluded to, yet I assert, before Heaven, and appeal to God as my witness, that I am innocent of them all, as well as the forging of the note and the alteration of the books and papers, as the alleged murders.

By what means my brother and his wife came to their death, I have no knowledge except such as came to light on my trials. If by foul means, I have no suspicion against any person or persons sufficient to justify me in making it a matter of discussion or publication. All I can say about these events is, that they are enveloped in a mystery, that, so far as I know, can only be solved when we shall all appear before the judgment seat of Christ. Then and there the guilty one will be recognized and punished.

As to the \$2,650 note, I here declare, as I have declared at all times hitherto, that the body thereof and the signature thereto are both the genuine hand writing of my brother David J. Wood. The giving of that note was the result of a computation of the amount due me from him, on account of sums of money loaned by me to him at divers times between the years 1852 and 1854. At the date of that note we had a settlement, and my brother was found indebted to me in the sum of money stated in that paper. This money I realized from the sale of my farm in New Jersey. The farm was sold by me in parcels at different times between 1851 and 1854. The due bills my brother David J. had given me from time to time, were given up at this time, and were destroyed. The arrangement between us was, that these various sums of money were to apply on my contract for the purchase of the Summer Hill farm, but at the time of the giving of the new note for \$2,650, my brother stated that he wished to use the money in some of his business transactions, and Col. Davenport, in whom the title was to come, did not care for it and I assented to that arrangement, although I had before requested that the money or as much thereof as was necessary to liquidate the same, should be applied to the contract and that a deed for the premises should be executed to me.

I have been thus particular in regard to this note, because the prosecution relied on the alleged forgery of it, as showing the motive that impelled me to commit the greater offence alleged.

In addition to my own assertion of the genuineness of that note, which I intend hereby to be explicit, I call attention to the fact that, in the civil suit commenced by the holder of the note against the Administrators of my brother David's estate, my brother John Wood, of New Jersey, in a commission issued in that cause, swore that the signature was the genuine signature of David J. Wood—who so competent to give an opinion as to the genuineness of the signature as he? It will be recollect too that several of the witnesses, who, on the trial said the signature was forged, had prior to my arrest expressed a contrary opinion, and so admitted on their several cross-examinations.

As to the alteration of the books and papers charged, I deny that I ever altered a word or figure therein, and I further deny all knowledge of any such alterations or mutilations.

These are the words of a dying man; one who expects in a few hours to appear before his Maker to give an account of the deeds done in the body.

As to those persons who, who on my trial, testified against me with feelings of prejudice, and whose misconstructions of my words, and misconceptions of my conduct and appearance, had great weight in influencing the verdict of the Jury, I entertain no feelings of enmity or ill will. I fully forgive them, as I hope to be forgiven of many short comings and offences, through the merits of my Savior.

The course pursued, on my trial and since my sentence, by the District Attorney, requires some remark from me. In addition to the discharge of his duties as a public officer, he has manifested a feeling of bitter hostility which has seemed to me unkind and vindictive. He has taken occasion to charge upon me personally the commission of crimes of which he had no knowledge, and with which as a public officer, he has nothing to do. The manifestation of a spirit of vindictiveness on his part, has seemed to me peculiarly heartless. He has seemed disposed since my sentence to add to my misfortunes by taunting me in a bitter manner. Keenly feeling as I do, this unkindness on his part, I can not help referring to the matter and yet I forgive the feelings he has manifested towards me, and express the hope that when I am out of the way of his prosecutions, and he is saved any further trouble in labor or expense on my account, he may be led to regret that to the discharge of his duties as a public officer, he has added a course of conduct which seems to me to partake of personal animosity. I have never injured him, and had he confined himself to what was required of him by law, I should have respected him, although by his efforts he had procured my conviction.

What I ask of the public is, that after this poor body is executed, and all excitement has subsided, they will examine carefully the evidence upon which I have been convicted, and then say whether, with these explanations I have given, I deserve the fate to which I have been consigned.

For the services and attention of the various clergymen who have visited me in my confinement, and prayers of those whom I selected as my spiritual advisers, I am deeply grateful. May they find their reward in reflecting that they have consoled and comforted, with religious truth and services, a soul that is soon to meet its Maker in judgement.

To my counsel and other friends who have stood by me in this hour of extremity, I am under obligations that words fail to express.

To the Sheriff who has performed his unpleasant and painful duties with tenderness, and has in every action and word shown a kind regard to my feelings, I would also acknowledge with deep gratitude my obligations, and hope that he may be repaid infinitely for his kindness to an unfortunate man, whom the law has subjected to an ignominious death.

ISAAC L. WOOD.

Dated, Geneseo, July 9, 1858.

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Letter from Col. J. Wood, Jr.

EDITOR OF THE REPUBLICAN:—*Dear Sir*—Herewith I hand you the last and dying statement of Isaac L. Wood made and signed by him on the day of his execution.

It is well known that from the time of the respite granted by the Governor up to the time of the execution, I was away from Geneseo and did not see, and had no communication with the condemned man, consequently I had no part in the preparation of this statement. It is due to the memory of the dead to say that to me as his counsel, he at all times most solemnly asserted his innocence of the crimes charged against him.

He has gone to that judgment seat where his guilt or innocence is known, and where the erroneous decisions of an earthly tribunal cannot injure, or his declarations of innocence if guilty, cannot avail him. He has been condemned and executed according to law. If he has been unjustly condemned, it is due to the fallibility of human tribunals, and the imperfection of human institutions.—Many an innocent man has been condemned and executed before him. Standing upon the scaffold, with the rope that was to strangle him, about his neck, and about to be launched into eternity, in the full possession of his mental faculties, he declares his entire innocence of the crime of which he was convicted, and the other crimes which on his trial were attempted to be proved against him.—Let him have the benefit of his dying declaration. I regret to observe that there has been an attempt to rob him even of this, that it has been published to the world on the authority, as I am told, of the District Attorney, that on the day before his execution, he made a partial confession. I am satisfied that no such confession was made. Sheriff McCartney and Joseph Kershner, Esq., who are the persons named as having heard the confession, assure me that it is not true, and that what was said to the District Attorney in their presence, is entirely consistent with this his last statement.

It is to be hoped that those who have been instrumental in procuring his condemnation and execution, will be satisfied with the extreme penalty of the law, that having suffered an ignominious death, the waters of oblivion may be per-

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called off how ever no dishonored slave. If he has been unjustly convicted, no earthly power can right the wrong which has been done. It does not help the master by endeavoring to get his master to take the character of the dead man, upon him the commission of crimes of which he is not guilty, and of which there is no proof except the unreliable assertions of idle rumor.

Respectfully yours, &c.,

JAMES WOOD, Jr., Counsel, &c.

Interview with Wood the Night before the Execution.

After a denial of a writ of error by Judge Johnson to the condemned in this case, the undersigned on several occasions solicited Hon. A. A. Hendee, District Attorney, to visit the prisoner and inform him of the hopelessness of averting the sentence that had been pronounced upon him; to which Mr. H. quite uniformly replied that it was not *his* duty, but the duty of his counsel to do so. This request was renewed repeatedly on the day prior to the execution, when Mr. H. stated that if Col. Wood, the prisoner's counsel, did not arrive, as had been by the prisoner expected, he would go and see the prisoner on condition that we would accompany him. Col. Wood not arriving on the evening of that day, about 10 o'clock we called upon Mr. H. and he accompanied us to the Jail. We found one of the watch, detailed for the night, in the hall, communicating to the prisoner's cell, and in which he received persons visiting him, and the prisoner in his cell sitting on his bed with a book by his side. He received us with marked cordiality, and Mr. H. while shaking hands with him remarked, that he came to see him at our request, and stated to him the result in his last behalf. After being seated, (Mr. H. beside the prisoner on the bed,) Mr. H. said to him, stating the result, he supposed he was aware that there was now no hope for him; to which the prisoner replied that he did, and that it was a solemn thought. Mr. H. then asked him if in view of it, he had anything to say in connection with the offence of which he had been convicted; he replied, that he had not, that he expected his counsel in the morning, and what further he had to say he should say to him, and then asked Mr. H. if he believed him guilty, and Mr. H. said he did.

Upon inquiries then made and drawn out by the prisoner's own remarks, he went on to say in substance, that he knew that his wife had been disinterred, and that arsenic was found in her stomach, but said she must have taken it in her medicine; that he knew his brother David and his wife and their two children were poisoned with arsenic—or to use his own expression—"I know brother David and sister Rhoda and the two children were poisoned with arsenic, but I didn't do it." Accounting for the poison, he said David and Rhoda might have drawn it from the metallic coffins in which they were buried; but on suggestion, admitted that did not account for the poisoning of the children, and so dropped this subject.

In reference to matters which he said bore heavily against him, showing or tending to show motive for the commission of the offence, he said it was his misfortune that he did not deem it necessary to explain them. Said he was at Burns with his brother on Saturday before his Death and returned to Dansville with him; and remained there Sunday and Monday, and that it was his misfortune that he wrote the letters he did to Barnard and Simmons; that his brother was suddenly taken ill, and he called from Almond to attend on him, for he was not at Almond at that time. That he could not account for stating to some that he was taken sick and stopped at Wayland, and to others that it was at Springwater. That it was at Springwater, but could not say at which house, whether on the right or left hand corner on entering from Wayland, and did not recollect that the house on the right had been burnt before that time.

He said he made the endorsement of \$335 on the contract at his brother's request, and that it was his misfortune that he consented to its erasure when the administrator questioned it. That he made the alteration in the date of the note from 1854 to 1852, and that his brother made that mistake; that his brother was a correct business man, and that it was very singular that he should date a note two years ahead, and that it would be singular for a man to date a note at this time 1869 instead of 1858.

When asked whether aware that he was charged with attempting to take the life of Mr. Johnson, of Illinois, by poison, he became much agitated, and asked Mr. H. "who told you—when did you hear that?" He said Johnson was sick with the same symptoms as his brother and brother's wife, was unwell for a long time but some said it was feigned, because he, Johnson, was too lazy to work, but did not deny it.

All this and much more of less interest was called out by questions he propounded to Mr. H., who during the entire interview conversed with him with marked sincerity, candor and kindness, and at the close of the interview, the prisoner remarked that he had no other than the kindest feelings towards Mr. H., and no fault to find with him in the course he had pursued as public prosecutor, except in relation to what he said on the trial about his brother's coat.

HUGH McCARTNEY,
J. KERSHNER.

Letter from Hon. A. A. Hendee.

GENESEO, July 24, 1858.

MR. NORTON—Your last issue contains what purports to be a statement of I. L. Wood to the public.

Whatever statement may have been made by that wretched man, unaided by others, I should have regarded it unnecessary to notice. His trials were both fair and impartial, the jury on his second trial were overwhelmingly convinced of his guilt by the evidence and pronounced him guilty; the court concurred in this opinion, and I have had not the least doubt of the correctness of the verdict. The court sentenced him as was their duty, and the prisoner has suffered the severe penalty, which the law inflicts in such cases.

Touching the fact of his guilt, or the truthfulness of such statement, as to matters proved against the prisoner upon his trial, I do not propose to speak. No one would regard it necessary or proper to dwell upon these points.

It is the sworn duty of the District Attorney as the law officer of the County to sustain the verdict of the jury and the sentence of the Court, in every criminal case, and to be active and diligent in the discharge of this trust, committed to him by the people, however unpleasant and disagreeable it may be, and he has no right to shirk from it although the life of a fellow being may be involved; and without his faithful efforts, the law would soon cease to be useful as a shield to the community, or as an engine of punishment.

The statement of the prisoner, I am credibly informed, was prepared by others, and taken to him on Friday, the day of his execution, about noon, and read to him, and that he signed it at that time. It was subsequently, as I am also informed, handed to you by his counsel on the 20th of this month for publication.

Accompanying this, I send you three letters, written by the prisoner, and proved and introduced in evidence on his last trial, in connection with proof touching the cause of the death of D. J. Wood, and which were never before published.

I send them simply for the purpose that your readers may be able to judge, and form their opinion how much agency the prisoner had in suggesting, composing, writing, or dictating the statement purporting to emanate from him, and for this purpose I desire you to print them *verbaliter et literatim*, precisely as they are written.

It is hardly conceivable that the author of these letters could have participated very largely in producing such statement. It is evident that it is substantially the product of some other person or persons, and as such I shall treat it. It appeared to you in the garb of another hand writing.

It is not at all remarkable, that the prisoner should not regard with much favor a public officer, whose painful duty it had been to prevent his escaping the fearful retribution which awaited him, and which the commission of a heinous crime had brought upon himself. And it was not very remarkable that he should deny facts, to wit: the forgeries which were incontestably proved against him, and not sought to be controverted on his last trial, but conceded by his counsel to be true, when we take into consideration that the prisoner, unfortunately for the cause of justice, had, in some way, evidently been induced confidently to hope and expect to the last, that his fearful doom would be postponed, at least for a season. He had great faith in his counsel, who had so diligently endeavored to procure for him a stay of execution, and to the last stage that arrived previous to his execution, anxiously awaited his counsel's arrival. He was aware that an application had been made before Justice Harris at West Point for a writ of error as late as the 7th of July, and no assurance of the result seemed to satisfy him, except he could have it from the lips of his counsel, and in this hopeful state of mind he signed the statement, and was led to execution, as many who witnessed the fearful spectacle believed.

No person thus situated, if entirely responsible for the published statement, could have elicited a remark from me. But as it calls for no very great stretch of the imagination to believe that the same was produced by some other person and for some purpose other than the exculpation of the prisoner, I regard it due to myself to specifically deny each and every charge therein which tends to reflect upon me as a man or an officer, for they are, without exception, utterly untrue.

The duties of my position are sufficiently onerous, arduous and painful, without being unnecessarily assailed by the living, from behind the pall of an executed murderer. Yours, &c.,

A. A. HENDEE.

[The following are the letters above referred to, and are published as requested,
verbatim et literatim:]

DANSVILLE, May 15 '55.

H P SIMMONS Esq—*Dear Sir*—Its nothing But sickness cause me to write this as I tould you I would be at your house the 16 It I made my arrangements to do so while in Almond I was sent for By my Brother as he wastaken very sudon with vomiting and some pain:—& as his famley has gon East he is all alone & cant think of me leaving him untill there is a change. You will therefore haſ to jurne the sute again unless you can git along without me I cant say now when I can be at your house But will as soon as I can leave If you doajorn the sute you had Better for 2 weeks I will Let you know how my Brother is soon let me hear from you soon I Remain your true Friend &c

I. L. WOOD

DANSVILLE, May 15 '55

B' BARNARD, Esq—*Dear Sir*—Its nothings But sickness that has keep me from your house to day I made my arrangements in Almond to come to your house to day & to go to Simmons to morrow I was sent to Almond to come home B. D. J. is very sick he was taken Monday morning 2 ock vomiting & some pain & as his family is in N. J. & B. H. also I cant think of leaving him I feel some what alarm a bout him:—I will let you know how he is soon & will be there as soon as I can leave.

I. L. WOOD

DANSVILLE, My 24 '55

MY VERY DEAR FRIEND—I Recd yours of the 22 It this moment & should have written before but have Been so deapley afflicted by the suden Death of my Dear Brot he died 16 It great loss to us all & we feel it very much it will be nesary for me to stay hear for the Preasant as there is great many things to look after I intend to come & see you as soon as I can leave the Apples where recd as you sent them I ment to mention it before it slip my minde

From yours true friend &c

I. L. WOOD.

THE EXECUTION.

On Friday, July 9th, 1858, Isaac L. Wood, convicted of the murder of his sister-in-law, Mrs. Rhoda L. Wood, by administering arsenical poison, suffered the extreme penalty of the law, at Geneseo. He was convicted of this crime on Friday, the 15th day of May previous, after a protracted trial of over two weeks, and sentenced by Judge Johnson, on Monday following, to be hung on the 25th day of June, between the hours of 11 and 4. Previous to the day appointed for his execution, however, a reprieve was received from Gov. King until July 9th, in order as the Governor stated, to allow him time to examine the testimony; having done which he expressed his willingness to let the law take its course.

The Big Tree Artillery, of Geneseo, Capt. Warford, and the Canaseragas, of Dansville, Capt. Grant, had been ordered out on this occasion by the Sheriff, and were promptly on the ground at an early hour in the forenoon.

In the forenoon we visited the gallows. It is a simple wooden structure about 12 feet in height, over a cross-bar at a top of which passes the rope; on one end was fastened an iron weight of some 24-lbs., at the other end a billet of wood weighing 11-pounds. Several experiments were made with it while we were present. At the back of the gallows, and about six feet from the ground, was a sort of iron trap on which the weight was placed. This was so arranged that a light touch of the foot on a wooden bar near the ground sprung the trap, the weight fell, and the billet of wood was jerked some six feet into the air.

A little before 3 o'clock, the prisoner was brought to the front door of the jail, where he stood some time in full view of the people. After the black cap was placed on his head, and as he stood on the steps, we understand he requested permission to address the people, which was denied by the Sheriff. His eyes were wild and glassy, as he took his last look at the beautiful world and the glorious sun, and raising his hand and waving it toward the crowd, he ejaculated in a most impressive manner, the solemn and startling words: "Farewell! friends, farewell! *forever!*" He then walked to the fatal enclosure, supported on either side by a deputy sheriff, and attended by Rev. Messrs. Birchmore, Bowne and Mandeville. He walked with a firm step, and on coming in sight of the gallows, observed them narrowly. He was dressed in a dark green frock coat, dark plaid pantaloons, and a check vest. His neck was bare.

As he was placed under the gallows, the deputy sheriff informed him that he had but 3-minutes to live, and that he now had an opportunity to say what he wished. The substance of his remarks was as follows:—"Here am I, condemned by the laws of my country to die—in a few moments ends my life, and I shall pass away into another world. This world may think of me as it pleases, but blessed be God, this is not my abiding place. I must meet the demands of justice. Soon I shall be stretched between Heaven and earth and go to my account. It is a solemn thought—to stand before the judgment seat of God. Oh, Mr. Hendee,—(turning to the District Attorney who stood near) you, too, must some time go to judgment. Christ will be the Judge; we can: + receive him. I say I am an

innocent man I shall soon be out of the way of my persecutors, blessed be God I had rather die ten thousand deaths than be persecuted as I have been for the last five weeks. To die is a gain to me. God knows what has caused this; (pointing to the gallows.) He knows the injustice of this. There may be men who believe—" Here he was interrupted to allow James B. Adams, Esq., to read the sentence of death, the respite of the Governor, and the death warrant. During the reading of these, Wood listened intently, with his eyes closed and his head thrown a little back.

When the reading was concluded, Rev. Mr. Bowne stated that Wood had selected the following text, from which to have his funeral sermon preached.

Thirty-first Psalm, 13, 14, 15:—For I have heard the slander of many; fear was on every side; while they took counsel together against me, they devised to take away my life.

But I trusted in Thee, O Lord : I said, Thou art my God.

My times are in thy hand : deliver me from the hand of mine enemies, and from them that persecute me.

—Prayer was then offered by Rev. Mr. Bowne, who was followed by Rev. Mr. Birchmore, who read the prayers of the Episcopal Church, prescribed for such occasions. Wood knelt during these exercises, at the conclusion of which he was informed that he had but 12 minutes to live. He then uttered the following ejaculatory sentences, during which the sheriff announced to him the flight of his precious moments :

"O Lord, receive my spirit. (He here drank part of a glass of water.) I thank God that the religion of our Lord Jesus Christ can support me. They may call me what they please, but there is something in religion to sustain. The blessed promises sustain me in this trying hour. I know that Christ will receive me. Oh! the comfort of religion to a dying man; religion gives him a hope. The change to another world will be a happy one. I cannot express my feelings. I can only say that I trust in the same God that has sustained me so long. Take this body; it's nothing but a lump of clay. God knows that I am innocent, but you can't know it. It is between myself and God. In three minutes I shall be free from my persecutors. I bid you all farewell forever. Blessed be God, I can die anywhere and at any time."

Mr. Birchmore asked Wood if he felt resigned.

"Yes; blessed be God, I am resigned. Take my body, prepare to meet me at the judgment. These are my dying words. O God! give me victory over death! This day will long be remembered. I am ready to go. I know what I say. I know that my soul will soon be in the presence of my Father. I believe in a hereafter and a future punishment for the wicked."

The fatal moment having now arrived, the prisoner shook hands with those around him, bidding them good-bye. He thanked the Sheriff for his kindness to him. His arms were then pinioned with a silk handkerchief, during which operation he repeated several times, "O! Jesus, receive my spirit!" adding, to the Sheriff, "Let me die as easy as you can."

He then seated himself in a chair directly under the gallows, the noose was adjusted about his neck and the cap pulled over his eyes, by one of the deputy sheriffs. He here requested permission to see the Sheriff's face, but the fatal moment had arrived, the spring was touched, and Isaac L. Wood was launched into eternity. As the weight fell, the wretched man groaned and carried his right hand

toward his mouth, but in a moment it dropped, and with the exception of a slight twitching of the muscles, all was still. Although his neck was instantly broken, his pulse continued to beat between seven and eight minutes. After hanging a little over half an hour, the attending physicians declared life extinct, and he was taken down. The corpse was placed in a coffin, and carried in a hearse to West Avon, where it was to be temporarily interred to await the order of his friends, who, we understand, intend removing the remains to New Jersey.

There were probably about eighty persons crowded in the narrow enclosure containing the gibbet, from two to four P. M. The arrangements for the preservation of order, and for the proper execution of the sentence were very perfect, and most successfully carried out.

None of the relatives of Wood were present at the execution, except a nephew by marriage. His sister, who resides at Lima, took her leave of him on Tuesday, July 6th.

After the corpse was removed, the people were admitted to see the gallows; the military soon left the ground, and the crowd quietly dispersed. Thus closed the last solemn scene of this terrible tragedy.

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